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# GENDER ANALYSIS REPORT USAID/UKRAINE



April 2017

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**Cover photo:** Olena Suslova. Painting by Svitlana Starodubtseva, an artist from Lviv, member of the National Union of Artists of Ukraine since 2008 and member of the National Union of Folk Art of Ukraine.

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# ACRONYMS

ADS	Automated Directive Systems
ATO	Anti-terrorist operation
CDCS	Country Development Cooperation Strategy
CEC	Central Election Commission
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CoE	Council of Europe
CSO	Civil society organization
DO	Development objective
DPO	Disabled persons' organization
ECA	Europe and Central Asia
EU	European Union
FHH	Female-headed household
FY	Fiscal year
GBV	Gender-based violence
GCA	Government-controlled areas
GII	Gender Inequality Index
IDP	Internally displaced person
IGCA	Industrial Gender Committee on Advertising
IOM	International Organization for Migration
IR	Intermediate result
IT	Information technology
LGBTI	Lesbian, gay, bisexual, transgender and intersex
MDG	Millennium Development Goal
MDR-TB	Multi-drug resistant tuberculosis
MHH	Male-headed household
MSM	Men who have sex with men
MP	Member of parliament
NGCA	Areas beyond government control
NGO	Non-governmental organization
OECD	Organization for Economic Co-operation and Development
OFDA	Office of U.S. Foreign Disaster Assistance
OHCHR	United Nations High Commissioner for Human Rights
OTI	[USAID] Office of Transition Initiatives
PEPFAR	President's Emergency Plan for AIDS Relief
PLHIV	Person/people living with HIV
SDG	Sustainable Development Goal
SME	Small and medium enterprise
UAH	Ukrainian Hryvnia
UNDP	United Nations Development Program
USAID	United States Agency for International Development

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Special thanks to Olena Suslova who worked as a consultant and in this role not only brought her enthusiasm and energy to the project but also provided valuable insights during all stages of the analysis process.

Gratitude is also expressed to all the individuals who met with the consultants in person (and by skype) and agreed to take part in open-ended interviews. The stakeholders included in the analysis process were not only generous with their time but displayed a willingness to discuss a breadth of issues concerning gender equality in Ukraine. Their engagement with gender issues is a very positive indicator of the expertise and resources that are available in the country.

The Ukrainian version of the executive summary was translated by Maria Dmytrieva.

# EXECUTIVE SUMMARY

Ukraine declared its independence from the Soviet Union a generation ago and in that time has had periods of revolution, regression and reform. By many indicators, the process to eliminate gender inequality has been uneven and is on-going today. Still, in a short time the country has distanced itself from the infamous statement of the former prime minister that “conducting reforms is not women’s business”<sup>1</sup> to the situation today in which the topic of gender equality is firmly established within the national dialog. While equality has not yet been achieved, the country is engaged in discussions of how to ensure that women and men are collectively contributing to and benefiting from positive developments in Ukraine.

This gender analysis report was commissioned by the United States Agency for International Development for Ukraine (USAID/Ukraine) to parallel the mission-wide process of formulating a new Country Development Cooperation Strategy (CDCS) for FY 2017 to 2022. The report, therefore, aims to inform the CDCS process and provide the Mission with an overview of the most significant gender issues affecting Ukraine at present as well as potential challenges and opportunities that may arise over the next five years. The analysis compiles data and qualitative information about gender inequalities and provides recommendations and guidance on ways to integrate gender throughout the CDCS as well as in future program and activity design, implementation and monitoring and evaluation. USAID/Ukraine takes an inclusive approach to its development planning, and thus the report considers the relative empowerment of specific groups of women and men and whether their needs are being met. The analysis report concludes with general, cross-cutting, programmatic and organizational recommendations for USAID/Ukraine as well as several illustrative performance indicators. Priority programmatic recommendations are summarized below and provided in full in section V of this report.

USAID/Ukraine is operating in a unique context and moment in the country’s development. The approach of the previous government of Ukraine to gender equality was formal, and political will to address persistent gender inequalities was limited. The attempts to move the country away from cooperation with the European Union, and by association, from European human rights standards, was met by large-scale citizen activism. The Euromaidan demonstrators called for change and an end to corruption at many levels and also brought about an increased awareness of and demand for human rights protections. While the gender equality and women’s rights movements, as well as activism by lesbian, gay, bisexual, transgender and intersex (LGBTI) persons, all predate the Euromaidan, the events of 2013-2014 brought visibility to and provided a new opportunity for these issues to be communicated to a broader segment of the Ukrainian population. Not only were women actively involved in the demonstrations, but the effect has been long-lasting in terms of galvanizing activists to continue to challenge the *status quo* and confront inequality and discrimination in many spheres.

Conflict in Ukraine has had a destabilizing impact on the country as a whole and has also had differing effects on women and men. While men make up the majority of combatants and those killed in the conflict, they are also impacted by limitations on their movement, lack of employment opportunities and loss of social benefits. Women make up the majority of the internally displaced population and many have become *de facto* heads of households while struggling with the loss of

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<sup>1</sup> See, e.g. Luke Harding, “Ukrainian women berate ‘Neanderthal’ PM for sexist remarks,” *The Guardian*, 24 March 2010, accessible from: <https://www.theguardian.com/world/2010/mar/24/ukraine-mykola-azarov-women>.

social protections and support networks. Violent conflict also exacerbates other forms of violence, including gender-based violence such as human trafficking and domestic violence. Against the backdrop of conflict, specific groups have emerged as especially vulnerable, including women from the Roma community, elderly women and rural residents, women with disabilities and LGBTI women.

Positive opportunities to advance gender equality in Ukraine include the fact that the country has developed a comprehensive legal and policy framework on gender equality and non-discrimination, which on the whole complies with European directives. The challenge, however, is that much of the law and policy remains ineffective, meaning it has not been implemented to the benefit of those who are marginalized. Various efforts to develop a national mechanism for advancing gender equality have been tested to limited effect, and the government is currently in the process of establishing a high-level office that will be responsible for national gender policy. The lack of clear leadership and authority on gender issues has until now complicated the process of both mainstreaming gender into national reform programs and coordinating donor programming aimed at empowering women or reducing inequalities. The gender blind nature of the 18-point national reform program may, at worse, undermine policy on gender equality and, at best, it represents a missed opportunity to put into practice the theory that effective development must also be inclusive development.

In the area of **democracy and governance**, positive windows of opportunity for USAID/Ukraine include the presence of a small yet dynamic group of female members of parliament and an active equality body within the Verkhovna Rada, the increasing interest on the part of political parties to improve their gender sensitivity and engagement with female party members, and the collective expertise of civil society organizations that represent the interests of diverse women and also advocate for gender equality. Other areas present challenges, such as the complex problem of increasing women's access to justice, which requires not only reform within justice sector institutions, but also legal amendments and the removal of socio-economic barriers (such as the fact that some women- rural women, for example- have limited knowledge of their rights and how to protect them and are constrained financially). The media continues to play a role in perpetuating gender stereotypes, but there is also evidence that there are opportunities to reorient media outlets toward promoting more balanced and positive images of women and men. An example of self-monitoring and regulation against sexism by the advertising industry suggests that there are possibilities for media groups to take a similar approach. The on-going government decentralization process has the potential to bring decision-making processes on issues of local concern closer to citizens, and this could be especially beneficial to women who have a small voice in national politics. However, if processes for setting local priorities are gender blind, women may gain very little. Methods such as gender-responsive budgeting, gender analysis and audits would help to improve the gender sensitivity of decentralization activities. Corruption continues to present one of the greatest challenges for the country, and it is a problem that appears not to discriminate on the basis of sex. While Ukrainians have virtually identical perceptions about the inevitability of corruption and their role in combating it, corrupt practices may impact women and men differently depending on the context (for example, in family court cases and political campaigning, women generally have limited opportunities to benefit from corruption; on the other hand, in the business sector, they may be relatively insulated from bribes and corruption due to the smaller size of their enterprises).



## Priority recommendations:

- In activities that concern transitional justice, access to justice, or decentralization that overlap with conflict-affected areas, take measures to ensure the inclusive participation of women at all decision-making levels and on topics of conflict resolution and peace building.
- Support gender-sensitivity training and continuing legal education for judges, judicial staff, prosecutors, and legal aid lawyers, that includes the jurisprudence of discrimination cases (based on sex, sexual orientation and gender identify), gender bias in the courtroom, sexual harassment and employment discrimination.
- Build government capacity to conduct gender expertise of draft laws, in a coordinated manner using a unified methodology.
- Support training projects on women's leadership in preparation for local elections with particular attention to the inclusion of women from minority and under-represented groups.
- Continue to work with political parties to improve their ability to meet the gender quota and increase their gender-sensitivity by providing capacity-building, mentoring and training.
- Develop the capacity of women's NGOs to engage in lobbying efforts and also to work in partnership with government authorities at the national, regional and local level on setting gender equality policy.
- Support the expansion of gender-responsive budgeting and gender-sensitive auditing exercises to be used in parallel with decentralization programs in order to ensure that the needs and priorities of women and men are taken into consideration in a balanced manner.
- Support nascent and alternative media outlets (including social media), especially those that report on issues of concern for the LGBTI community.

Women's economic empowerment should be a central part of programs that aim to create an open and competitive economy in Ukraine and overcome the economic stagnation of the post-Maidan period. While **economic growth** will bring benefit to the entire population, women experience a number of constraints in terms of decent work and access to entrepreneurship opportunities that mean they are not in a position to benefit as directly from economic reforms as men. Specific groups of women, such as female household heads, elderly women, Romani women and rural women, are all vulnerable to multi-dimensional poverty. Women's economic dependence limits their opportunities in other areas, such as the ability to pursue education, to access medical care and even the option of leaving violent relationships. The Ukrainian labor market exhibits gender inequalities in several ways: occupational segregation means that women tend to occupy specific sectors that are associated with lower pay and are underrepresented in upper management positions. Protective provisions in legislation are not only discriminatory but they reinforce stereotypes that certain work is "unsuitable" for females and limit women's choices. An equitable approach would be to ensure that work places are safe for all employees. The gender wage gap shows little sign of abating, and with women's average wages 30% lower than men's, the gap is considerably larger than the average for the EU member countries. Women are more likely to be out of the job market due to family responsibilities, but they also face discrimination in employment based on perceptions that these very responsibilities place heavy burdens on employers. Men do not necessarily benefit from widespread gender stereotypes in terms of the pressure they face to be the primary breadwinner in their households. These pressure are especially intense in settings such as

Donbas where the job market for “male industries” is shrinking. They also mean that men encounter barriers to taking time out of work in order participate in family life.

Entrepreneurship has the potential to bring financial independence to individual entrepreneurs and for job creation. Women’s entrepreneurship, in particular, could have an important impact on female employment and increase the competitiveness of the sector overall. There have been a number of discrete projects over the years to improve women’s business skills and opportunities, but data about women’s representation among entrepreneurs and analysis of their experiences, strengths and barriers are lacking. Existing research indicates that women business owners and managers are concentrated in micro and small- sized enterprises, and they tend to work in areas that are typically associated with “female” skills and expertise, especially services, such as dressmaking, hairdressing, catering, real estate, medical services, child and elderly care, educational services, housecleaning, accounting and petty trade. Many of these sectors are labor intensive, closely connected to the local community, and are often saturated markets. Male entrepreneurs are generally represented in information technology (IT), construction, engineering services, transport services, agribusiness and manufacturing- sectors that tend to have more potential for growth. Assessments of the constraints to doing business in Ukraine demonstrate that male and female entrepreneurs encounter many of the same problems, but the level of intensity differs considerably. Female entrepreneurs much more often cite such problems as lack of demand for their goods and services and lack of working capital and competition, which indicates that their businesses may not be in a position to take advantage of market opportunities and that they face more constraints to investing in and expanding their businesses. Lack of access to credit is a frequent problem for entrepreneurs in general, but women face specific difficulties due to lack of property that can be used as collateral. Microlending programs for women have been used with success in Ukraine. Greater analysis is still needed of the gender-based barriers to starting and expanding a business in Ukraine, along with an assessment of new markets and value chains that offer women business opportunities, especially connected to agricultural production. Support for female entrepreneurship has been provided mainly by the donor community, while policy and institutional support has been minimal. Financial literacy programs for women have demonstrated success in raising the general level of knowledge about such topics as budgeting and in supporting business women at the start-up level.

#### **Priority recommendations:**

- Support civil society organizations in advocacy work to lobby for the removal of discriminatory/protectionist provisions from labor law.
- Support a detailed gender analysis to determine the perspectives of female and male entrepreneurs on the constraints to doing business as well as the degree to which they are impacted by these constraints in terms of establishing and expanding a business. Ensure that programs on private sector development promote policies that will remove barriers for female and male entrepreneurs and will not inadvertently disadvantage either group.
- Conduct dedicated analysis of the impact of corruption on male- and female-owned and managed businesses in order to determine entry points for future USAID/Ukraine anti-corruption programming.
- Expand projects on women’s financial literacy and economic empowerment to a larger number of vulnerable groups of women, such as internally displaced persons (IDPs), Roma women, survivors of gender-based violence, women living with HIV, women who inject drugs, and women at risk for trafficking and/or sexual exploitation.

- In economic empowerment programs for IDPs, undertake conflict analysis to ensure that programs only for IDPs do not cause rifts within host communities; consider providing integrated trainings and activities that incorporate both IDP and local women and men who are facing economic hardships.

USAID/Ukraine supports the development of a **transparent health system**, with a particular focus on ensuring that specific at-risk populations, those at risk for HIV and TB, are able to access the services of a health care system that meets their needs. The health status of men and women differ considerably in Ukraine. Men live on average ten years less than women, and their shorter healthy life expectancy is correlated to unhealthy behaviors such as abusing drugs, alcohol or tobacco, adopting unhealthy diets and taking on stressful and dangerous employment. Societal expectation can push men to adopt unhealthy behaviors, and gender stereotypes can have a detrimental impact on both men and women (when men are “expected” to abuse drugs or alcohol and not offered treatment and when women’s dependency is either not recognized or stigmatized). Health-seeking behaviors are also linked to the HIV/AIDS and TB epidemics. While both epidemics impact the male population more than the female, the epidemics are largely concentrated in key populations, some of which are overlapping: people who inject drugs (the majority of whom are male), female sex workers, men who have sex with men (MSM), prisoners (most are men), and the partners of people in the key populations. Women who inject drugs face specific risks for HIV transmission due to the fact that men are the primary decision-makers around drug use practices, and women are often unable to exert control to avoid infection or to access testing and treatment. Women’s childcare burden and economic dependence are additional factors that determine whether they attend harm reduction or drug treatment programs or can access HIV services. HIV rates are increasing among the MSM community. Stigma (including a high level of self stigmatization) and discrimination against people who inject drugs, especially women and women with children, sex workers, and MSM prevents these groups from accessing quality health services.

#### **Priority recommendations:**

- Develop interventions for male high risk populations, such as those who inject drugs, MSM, and military servicemen, that are focused on specific locations, for example in pre-trial detention facilities and prisons, during military conscription and in the ATO zone.
- Integrate gender-sensitive HIV prevention activities (e.g. condom distribution and health education) and services for testing and treatment within programs that provide assistance to IDPs.
- Develop evidence-based approaches based on international best practices for reaching the sexual partners of people who inject drugs, sex workers, servicemen and MSM.
- Support networking and collaboration between NGOs that represent women who are HIV positive and those that work on gender equality issues more broadly in order to link these movements and advocacy efforts.
- Ensure that programs that undertake prevention of gender-based violence and provide services to survivors of violence are accessible to survivors who are HIV positive, who inject drugs or who have a diagnosis of TB, and that services are tailored to the needs of both female and male survivors.

The destabilizing effects of ongoing conflict in Ukraine cannot be overstated. The humanitarian impacts are felt by all segments of the population. The United Nations Office for the Coordination

of Humanitarian Affairs estimates that there are 4.4 million people affected by the conflict in Ukraine, and the Ministry of Social Policy reports that almost 1.6 million internally-displaced persons from Crimea and Donbas have been registered as of April 2017. Among IDPs, there is a high proportion of women, including women caring for children and elderly family members. Research and fieldwork conducted during this gender analysis brought to light several specific needs of the conflict-affected community and IDPs. These include providing opportunities for economic empowerment, through job creation, re-training and entrepreneurship support, for a range of beneficiaries- displaced women who are supporting families, women in the host communities who have experienced long-term unemployment, entrepreneurs among IDPs who have left behind their businesses, as well as men who have few job prospects and are at risk for being recruited into fighting.

Various forms of gender-based violence (GBV) are associated with the current conflict, and women are at risk for psychological, economic, physical and sexual violence. Sexual violence occurring at checkpoints and against people in detention has been documented in the territory controlled by armed groups and in the Autonomous Republic of Crimea. There are indicators that human trafficking and sexual exploitation are taking place in combat-affected areas, related to the fact that there are a large number of male combatants and women's limited means to overcome financial difficulties puts pressure on them to engage in "survival sex." NGO service providers suggest that the incidence of domestic violence is increasing, related to the increased tolerance for violence in society, greater access to weapons and post-traumatic stress disorders among combatants. It is generally thought that gender-based violence in conflict settings is a mirror for the level of tolerance of gender inequalities that existed in peacetime. The scarcity of complex services, especially psychosocial services, that survivors of GBV need impacts IDPs acutely. International donors, NGOs and the Ministry of Social Policy have launched a multi-component project to improve referral systems and survivor-centered services in five regions (areas under government control and those that are beyond government control). Important activities include law enforcement and medical staff training on GBV, the use of mobile teams of support workers to conduct outreach to survivors, strengthening a referral mechanism, and the expansion of a toll-free national telephone hotline to a 24/7 service. Still, additional services, such as shelters and long-term support, are needed, and it is necessary to increase the capacity of the criminal justice system to prosecute and hold perpetrators accountable.

Ukraine is a priority country for **USAID's Women, Peace and Security Initiative**, and the government of Ukraine has adopted a national action plan for the implementation of UN Security Council Resolution 1325 on women, peace and security. The national action plan not only calls for coordination on preventing GBV and rehabilitating survivors, but it offers opportunities to increase women's engagement in peace building and conflict resolution both as government representatives and civil society actors. Thus far, implementation of the national plan has been slow due to lack of clarity around some of the actions and responsible agencies as well as the limited budget for its execution. USAID/Ukraine can play a role in supporting the government to implement commitments towards women, peace and security, not only through is humanitarian and transition assistance, but also in programs on decentralization, governance, women's political participation, and access to justice.

#### **Priority recommendations:**

- Mainstream gender in all humanitarian assistance and IDP-related activities and ensure that female IDPs, especially those who have become heads of households, receive comprehensive support, not only pertaining to the issue of gender-based violence but also in

the areas of political and economic empowerment, access to health care, social services, housing and education.

- Develop targeted programs on economic empowerment for female IDPs, through support of entrepreneurship, re-training to meet the demands of the local job market and work placements in order to improve their prospects for long-term integration, with particular attention to women from Roma and Crimean Tatar communities.
- Support NGOs and government agencies that work with survivors of gender-based violence from conflict-affected communities, to increase their capacity to provide comprehensive services as well as specialized assistance to particular groups of survivors (including men who are survivors of sexual and gender-based violence).



# ОСНОВНІ ВИСНОВКИ

Покоління тому Україна оголосила свою незалежність від Радянського Союзу і з того часу зазнає революцій, регресу та реформ. За багатьма показниками процес подолання гендерної нерівності відбувався нерівно і триває й досі. Хай там як, за короткий час країна відсторонилася від сумнозвісної заяви колишнього прем'єр-міністра, що “проводити реформи не жіноча справа”<sup>2</sup>, і досягла такого положення справ, при якому тема гендерної рівності вже міцно вкорінена в національному діалозі. І хоча рівність досі не досягнута, країна активно обговорює, як саме гарантувати, щоб жінки та чоловіки спільно сприяли позитивним змінам в Україні і рівною мірою мали з них зиск.

Цей звіт за результатами гендерного аналізу був підготовлений на замовлення Агентства США з міжнародного розвитку в Україні (USAID/Україна) в доповнення до процесу розробки Місією нової Стратегії співпраці з розвитку країни (ССРК) на 2017-2022 фінансові роки. Отже, цей звіт має надати інформацію для потреб розробки ССРК та запропонувати українському представництву USAID огляд найважливіших гендерних питань, які нині впливають на Україну, а також потенційних проблем і можливостей, що можуть виникнути протягом наступних п'яти років. В цьому аналізі зведені дані та якісна інформація про різні форми гендерної нерівності та подаються рекомендації та поради щодо шляхів наскрізного включення гендеру в ССРК, а також у майбутню розробку програм і діяльності, їх впровадження та моніторинг і оцінку. USAID/Україна дотримується інклюзивного підходу до планування розвитку, тому в звіті також розглядається відносно уповноваження конкретних груп жінок та чоловіків та чи задовольняються їхні потреби. На завершення звіту за результатами аналізу запропоновані загальні, наскрізні, програмні та організаційні рекомендації для USAID/Україна, а також кілька наочних показників діяльності. Найважливіші програмні рекомендації коротко викладені нижче і наведені повністю в розділі V цього звіту.

USAID/Україна працює в унікальному контексті та моменті в розвиткові країни. Попередній уряд України підходив до питання гендерної рівності формально і демонстрував обмежену політичну волю до подолання глибоко вкоріненої гендерної нерівності. У відповідь на спроби віддалити країну від співпраці із Європейським Союзом, а отже, і від європейських стандартів у сфері прав людини, розвернувся масштабний громадянський активізм. Люди на Євромайдані вимагали змін та викорінювання корупції на багатьох рівнях, що також призвело до підвищеного усвідомлення прав людини та потреби їх захищати. Хоча рух за гендерну рівність і рух на захист прав жінок, як і активістська діяльність лесбійок, геїв, бісексуальних, трансгендерних та інтерсекс-людей (ЛГБТІ) існували задовго до Євромайдану, події 2013-2014 років унаочнили ці питання та створили нові можливості, щоб донести їх до ширших прошарків населення України. Жінки не лише брали активну участь у демонстраціях протесту: їхня участь продовжує надихати активісток і надалі намагатися змінити статус-кво та протистояти нерівності й дискримінації у багатьох сферах.

Конфлікт в Україні все ще має дестабілізуючий вплив на ситуацію в країні в цілому та по-різному впливає на жінок і чоловіків. Хоча чоловіки становлять більшість учасників бойових дій і тих, хто загинув у конфлікті, вони також зазнають обмежень у пересуванні, нестачі

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<sup>2</sup> Див., наприклад, Luke Harding, “Ukrainian women berate 'Neanderthal' PM for sexist remarks,” *The Guardian*, 24 березня 2010 р., режим доступу: <https://www.theguardian.com/world/2010/mar/24/ukraine-mykola-azarov-women>.

можливостей для працевлаштування та втрати соціальних пілґ. Жінки становлять більшість серед внутрішньо переміщених осіб і багато з них посутньо очолили свої родини в умовах втрати соціального захисту та мереж підтримки з боку родичів і друзів. Збройний конфлікт також загострює інші форми насильства, включаючи гендерно-зумовлене насильство, зокрема, торгівлю людьми та домашнє насильство. На тлі конфлікту виявилось, що окремі групи особливо вразливі, як-от жінки зі спільноти рома (ромні), старші жінки та сільські жінки, жінки з інвалідністю та ЛБТІ-жінки.

Серед позитивних можливостей для просування гендерної рівності в Україні варто згадати той факт, що в країні розроблена всеохопна нормативно-правова база з досягнення гендерної рівності та недискримінації, яка загалом відповідає європейським директивам. Однак проблемою лишається те, що значна частина цього законодавства і далі не діє, бо воно не було запроваджене на користь тих, хто маргіналізовані. Різноманітні спроби розробити національний механізм запровадження гендерної рівності мали обмежений вплив, тож нині уряд перебуває в процесі створення органу високого рівня, який відповідатиме за національну гендерну політику. Відсутність чіткого керівництва і повноважень з гендерних питань донині ускладнювало процес як гендерного інтегрування у національні програми реформ, так і координування донорських програм, спрямованих на уповноваження жінок чи на скорочення нерівності. Гендерно-сліпий характер 18 пунктів національної програми реформ може, у гіршому випадку, зруйнувати політику з досягнення гендерної рівності, а у кращому випадку представляє собою втрачену можливість реалізувати на практиці теорію, що ефективний розвиток має також бути розвитком інклюзивним.

В сфері **демократії та управління** серед позитивних вікон можливості для USAID/Україна варто згадати присутність невеликої, але енергійної групи народних депутаток та активного органу в підтримку рівності в самій Верховній Раді, зростання інтересу з боку політичних партій до поглиблення їх гендерної чутливості та активнішого залучення членкинь партій, а також колективні експертні знання організацій громадянського суспільства, які представляють інтереси жінок з різних груп, а також просувають ідеї гендерної рівності. В інших сферах спостерігаються проблеми, як, наприклад, складна проблема поліпшення доступу жінок до правосуддя, яка потребує не лише реформ в установах сфери юстиції, а також змін у законодавстві та усунення соціально-економічних бар'єрів (серед яких, зокрема, той факт, що деякі жінки – сільські жінки, наприклад – мають обмежені знання про свої права та як їх захищати, і не мають на це грошей). Засоби масової інформації і надалі грають провідну роль у відтворенні гендерних стереотипів, але вже є приклади того, що їх можливо переорієнтувати на поширення збалансованіших і позитивніших образів жінок і чоловіків. Медіа-групи цілком можуть взяти за приклад модель само-моніторингу та само-регулювання проти сексизму, запроваджену у рекламній індустрії. Процес децентралізації влади, що триває, має потенціал перенести прийняття рішень з місцевих питань ближче до громадян, що може бути особливо корисно для жінок, яких на рівні національної політики практично не чути. Однак якщо процеси встановлення місцевих пріоритетів будуть гендерно-сліпими, здобутки жінок можуть виявитись мізерними. Гендерно-чутливі методи на кшталт гендерно-орієнтованого бюджетування, гендерного аналізу та гендерного аудиту могли б підвищити гендерну чутливість діяльності з децентралізації. Корупція і досі лишається однією з найбільших проблем для України, і ця проблема, на перший погляд, нікого не дискримінує на підставі статі. Хоча громадяни України мають практично однакове сприйняття неминучості корупції та своєї ролі у боротьбі із нею, корупційні практики по-різному впливають на жінок і чоловіків залежно від контексту (наприклад, в судових сімейних справах чи політичних кампаніях в жінок загалом обмежені можливості мати якийсь зиск із корупції; з іншого боку, у секторі торгово-промислової діяльності вони

можуть бути відносно ізольовані від хабарів та корупції через менший розмір їхніх компаній та підприємств).

### **Пріоритетні рекомендації:**

- У видах діяльності, які стосуються правосуддя перехідного періоду, доступу до правосуддя або децентралізації, котрі перетинаються з роботою на охоплених конфліктом територіях, вжити заходів на забезпечення інклюзивної участі жінок на всіх рівнях прийняття рішень та стосовно тем розв'язання конфлікту та миротворчості.
- Підтримувати проведення тренінгів з гендерної чутливості та постійної юридичної освіти для суддів, судового корпусу, прокурорів та адвокатів, що передбачатиме розгляд судової практики стосовно справ з дискримінації (на підставі статі, сексуальної орієнтації та гендерної ідентичності), гендерної упередженості в залах судових засідань, сексуальних домагань та дискримінації при працевлаштуванні.
- Розвивати спроможність уряду скоординовано проводити гендерну експертизу законопроектів із використанням уніфікованої методології.
- Підтримувати навчальні проекти з жіночого лідерства в рамках підготовки до місцевих виборів з особливою увагою до включення жінок з меншин та недостатньо представлених груп.
- Продовжити працювати із політичними партіями над поліпшенням їх здатності виконувати гендерні квоти та підвищенням їх гендерної чутливості за допомогою розбудови спроможності, наставництва та навчання.
- Розвивати спроможність жіночих НУО займатися лобіюванням, а також працювати у співпраці з органами державної влади на національному, регіональному та місцевому рівнях над розробкою і прийняттям політики підтримки гендерної рівності.
- Підтримувати розширення гендерно-орієнтованого бюджетування та методів гендерно-чутливого аудиту для використання паралельно із програмами децентралізації, з метою забезпечення того, аби потреби та пріоритети як жінок, так і чоловіків бралися до уваги у збалансований спосіб.
- Підтримувати нові та альтернативні засоби масової інформації (включаючи соціальні мережі), особливо ті, які друкують інформацію з питань, важливих для спільноти ЛГБТІ.

**Економічне уповноваження** жінок слід зробити центральною частиною програм, які мають на меті творити відкриту і конкурентоспроможну економіку в Україні та подолати економічний застій пост-Майданного періоду. Хоча **економічне зростання** піде на користь всьому населенню, жінки зазнають низки обмежень щодо доступу до добре оплачуваної роботи та підприємницьких можливостей, внаслідок чого вони не в тому положенні, аби виграти від економічних реформ настільки безпосередньо, як чоловіки. Конкретні групи жінок, такі як жінки-голови родин, старші жінки, ромні та сільські жінки, вразливі до багатовимірної бідності. Економічна залежність жінок обмежує їхні можливості в інших сферах, таких як здатність здобувати освіту, звертатися по медичну допомогу і навіть можливість вийти із насильницьких стосунків. Для українського ринку праці характерні

кілька видів гендерної нерівності: поділ професій за статевою ознакою означає, що жінки частіше працюють в конкретних галузях, де зарплати менші, і нечасто займають керівні посади. Захисні положення в законодавстві не лише дискримінують жінок, а й посилюють стереотипи, що певні види роботи “не підходять” жінкам, та обмежують професійні можливості для жінок. В рамках неупередженого підходу логічно було б зробити робочі місця безпечними для всіх працівників. Гендерний розрив в рівнях зарплат і далі не скорочується; жіночі зарплати в середньому на 30% нижчі за чоловічі, тобто цей розрив значно більший за середній гендерний розрив в зарплатах в країнах Європейського Союзу. Жінки з більшою ймовірністю випадають з ринку праці через родинні обов’язки і при цьому зазнають дискримінації в працевлаштуванні через поширеність уявлення, що ці самі обов’язки покладають важкий тягар на працедавців. Чоловікам не йдуть на користь поширені гендерні стереотипи – зокрема, через очікування, що вони повинні заробляти достатньо, аби бути в себе в родині основним годувальником. Тиск таких очікувань особливо сильний в умовах, скажімо, Донбасу, де ринок праці для “чоловічої роботи” скорочується. Ще одним наслідком таких стереотипів є те, що чоловікам складно витратити менше часу на роботу, щоби брати участь у житті своєї родини.

Підприємництво має потенціал забезпечити фінансову незалежність приватним підприємцям і створювати нові робочі місця. Жіноче підприємництво, зокрема, могло б суттєво вплинути на працевлаштування жінок та підвищити конкурентоспроможність галузі загалом. За останні роки було реалізовано низку розрізнених проектів на поліпшення підприємницьких навичок та можливостей жінок, однак в країні бракує даних про представленість жінок серед підприємців та аналізу їхнього досвіду, сильних сторін та бар’єрів. Якщо вірити існуючим дослідженням, жінки-власниці і керівниці бізнесу зосереджені на рівні мікро- та малих підприємств і частіше працюють у сферах, які традиційно вважаються пов’язаними із “жіночими” навичками та компетенцією, особливо у сфері послуг, таких як пошиття одягу, перукарська справа, виїзне ресторанне обслуговування, торгівля нерухомістю, медичні послуги, догляд за дітьми та старими людьми, освітні послуги, прибирання житла, бухгалтерія та роздрібна торгівля. Багато з цих галузей працевісткі та тісно пов’язані із місцевою спільнотою, крім того, ці ринки часто насичені. Чоловіки-підприємці загалом більше представлені в сферах інформаційних технологій, будівництва, інженерних і проектних послуг, транспортних послуг, сільському господарстві та виробництві – а ці галузі частіше мають кращий потенціал для зростання. Оцінки обмежень при веденні власної справи в Україні показують, що проблеми, з якими доводиться мати справу чоловікам- і жінкам-підприємцям, багато в чому ті самі, але сам рівень глибини цих проблем сильно відрізняється. Жінки-підприємці набагато частіше згадують такі проблеми, як низький попит на їхні товари і послуги та нестачу оборотних фондів та конкуренцію, що означає, що їхнім підприємствам може бути складно скористатися ринковими можливостями, а їм самим треба подолати більше обмежень на вкладання коштів у свою справу або її розширення. Відсутність доступу до кредитів є поширеною проблемою для підприємців загалом, але для жінок спрацьовують додаткові обмеження через відсутність в них майна, яке можна було б використати як додаткове забезпечення. В Україні успішно застосовувалися програми мікрокредитування для жінок. Але все одно потрібен ширший аналіз гендерно-зумовлених перешкод на шляху до заснування та розширення власної справи в Україні, як і оцінка нових ринків та виробничих зв’язків, які дають можливості жіночим підприємствам, особливо у сфері сільськогосподарського виробництва. Підтримку жіночому підприємництву надавали переважно донори, в той час як державна політична та інституційна підтримка була і є мінімальною. Програми фінансової грамотності для жінок виявилися успішними в підвищенні загального рівня знань про такі теми, як бюджетування, та в підтримці підприємниць на початковому рівні.

## Пріоритетні рекомендації:

- Підтримувати організації громадянського суспільства в їх правозахисній діяльності задля усунення дискримінаційних/протекціоністських положень із трудового законодавства.
- Підтримувати докладний гендерний аналіз на визначення поглядів жінок- та чоловіків-підприємців на обмеження у веденні бізнесу, а також на ту міру, якою на них впливають ці обмеження, зокрема, на етапі заснування та розширення власної справи. Забезпечити, щоб програми щодо розвитку приватного підприємництва просуvalи такі політики, які усуватимуть перешкоди для жінок- та чоловіків-підприємців і не спричинятимуть шкоди, хоч як ненавмисно, жодній з груп.
- Проводити профільний аналіз впливу корупції на підприємства у власності та під керівництвом чоловіків та жінок, щоб визначити точки для застосування зусиль майбутніх антикорупційних програм USAID/Україна.
- Розширити проекти для жінок з питань фінансової грамотності та економічного уповноваження в такий спосіб, щоб охоплювати більшу кількість вразливих груп жінок, таких як внутрішньо переміщені особи (ВПО), ромні, потерпілі від гендерно-зумовленого насильства, жінки, які живуть з ВІЛ, жінки, які вживають ін'єкційні наркотики, та жінки в групі ризику щодо торгівлі людьми та/або сексуальної експлуатації.
- В програмах економічного уповноваження для ВПО провести аналіз конфліктів, щоб програми тільки для ВПО гарантовано не викликали напруженості зі спільнотами, які прийняли до себе ВПО; розглянути можливість проведення спільних занять та діяльності для ВПО та місцевих жінок та чоловіків, перед якими стоять економічні складнощі.

USAID/Україна підтримує розвиток **прозорої системи охорони здоров'я** з особливою увагою до того, аби конкретні вразливі групи населення, зокрема, вразливі до ВІЛ-інфекції та туберкульозу, мали доступ до послуг системи охорони здоров'я, які задовольняють їхні потреби. В Україні стан здоров'я чоловіків і жінок сильно відрізняється. Чоловіки живуть в середньому на десять років менше, ніж жінки; їх менша очікувана тривалість життя пов'язана із шкідливими звичками – зловживанням наркотиками, алкоголем чи тютюном, нездоровим харчуванням та зайнятістю на виснажливих і небезпечних видах роботи. Соціальні очікування можуть підштовхувати чоловіків до практикування небезпечних форм поведінки, а гендерні стереотипи можуть мати шкідливий вплив як на чоловіків, так і на жінок (коли від чоловіків “очікується”, що вони зловживатимуть наркотиками чи алкоголем, і тому їм не пропонують лікування, і коли залежність в жінок або не зауважують, або стигматизують). Моделі піклування про своє здоров'я також пов'язані із епідеміями ВІЛ/СНІДу та туберкульозу. Хоча обидві епідемії більше вражають чоловічу половину населення, ніж жіночу, вони значною мірою зосереджені в ключових групах населення, деякі з яких частково перекривають одна одну: люди, які вживають ін'єкційні наркотики (більшість з яких – чоловіки), жінки, залучені до секс-роботи, чоловіки, які займаються сексом з чоловіками (ЧСЧ), в'язні (більшість з яких – чоловіки), та партнери людей з ключових груп. Жінки, які вживають ін'єкційні наркотики, наражаються на специфічний ризик зараження ВІЛ в силу того факту, що в практиках вживання наркотиків чоловіки приймають основні рішення, а жінки в цих ситуаціях часто неспроможні здійснювати контроль – ані щоб уникнути зараження, ані щоб звернутися по тестування та лікування. Для



жінок тягар догляду за дітьми та економічна залежність є додатковими факторами, які визначають, чи жінка зможе відвідувати програми зменшення шкоди або наркологічної допомоги чи звертатися по ВІЛ-послуги. Рівні поширеності ВІЛ серед спільноти ЧСЧ зростають. Стигма (включаючи високий рівень само-стигматизації) та дискримінація проти людей, які вживають ін'єкційні наркотики, особливо проти жінок та жінок з дітьми, жінок у секс-бізнесі та ЧСЧ, заважають цим групам отримувати якісні послуги у сфері охорони здоров'я.

### **Пріоритетні рекомендації:**

- Розробити інтервенції для груп високого ризику серед чоловіків, таких як ті, хто вживає ін'єкційні наркотики, ЧСЧ та військові, орієнтовані на конкретні місця, наприклад, в СІЗО та в'язницях, серед солдатів строкової служби, в збройних силах та в зоні АТО.
- Інтегрувати гендерно-чутливі види діяльності попередження ВІЛ (напр., роздача презервативів та секс-просвіта) та послуги з тестування і лікування в програми, які надають допомогу ВПО.
- Розробити науково-обґрунтовані підходи на основі міжнародних напрацювань для охоплення сексуальних партнерів людей, які вживають ін'єкційні наркотики, людей, залучених у секс-бізнес, ЧСЧ та військовослужбовців.
- Підтримувати співпрацю та обмін інформацією між НУО, які представляють ВІЛ-позитивних жінок, та тих, які працюють над ширшими питаннями гендерної рівності, щоб допомогти їм об'єднувати правозахисні зусилля.
- Пересвідчитись, що програми, спрямовані на попередження гендерно-зумовленого насильства та надання послуг потерпілим від насильства, доступні і для потерпілих, які є ВІЛ-позитивними, вживають ін'єкційні наркотики або мають діагноз «туберкульоз», та що послуги враховують потреби і жінок, і чоловіків-потерпілих від насильства.

Дестабілізуючі наслідки поточного конфлікту в Україні складно переоцінити. Його гуманітарний вплив відчувають всі сегменти населення. За оцінками Управління ООН з координації гуманітарних питань, наразі конфліктом в Україні зачеплені 4,4 мільйони осіб, а Міністерство соціальної політики повідомляє, що станом на квітень 2017 року зареєстровано майже 1,6 мільйон внутрішньо переміщених осіб з Криму та Донбасу. Серед ВПО значну частину складають жінки, включаючи жінок, які дбають про дітей та старших членів родини. Дослідження та польові інтерв'ю, проведені в рамках цього гендерного аналізу, виявили кілька специфічних потреб спільноти, що потерпає від конфлікту, та ВПО. Серед них – надання можливостей для економічного уповноваження шляхом створення робочих місць, перепідготовки та підтримки підприємництва, для широкого спектру бенефіціарів – внутрішньо переміщених жінок, які утримують свої родини, жінок в місцевих спільнотах, які тривалий час не могли знайти роботу, підприємців серед ВПО, які залишили свої підприємства на охопленій конфліктом території, а також чоловіків, в яких погані перспективи працевлаштування і яким загрожує бути завербованими до лав учасників збройного конфлікту.

Із поточним конфліктом пов'язані різні форми гендерно-зумовленого насильства (ГЗН) і жінки перебувають під загрозою психологічного, економічного, фізичного та сексуального

наси́льства. Випадки сексуального насильства на контрольно-пропускних пунктах та проти людей під арештом були зафіксовані на території під контролем озброєних груп та в Автономній республіці Крим. Є підстави вважати, що на територіях навколо збройних дій відбуваються торгівля людьми та сексуальна експлуатація, пов'язані із тим фактом, що там перебуває значна кількість чоловіків, які беруть участь у збройному конфлікті, а жінки через обмежені можливості подолати фінансові складнощі змушені займатися “сексом заради виживання”. Громадські організації, які надають послуги населенню, вважають, що поширеність домашнього насильства зростає в зв'язку із зростанням толерантності до насильства в суспільстві, легшим доступом до зброї та посттравматичними стресовими розладами серед комбатантів. Загалом вважається, що гендерно-зумовлене насильство в умовах конфлікту відображає рівень терпимості до гендерної нерівності, яка існувала в мирний час. Брак комплексних послуг, особливо психологічних, котрих потребують потерпілі від ІЗН, гостро впливає на ВПО. Міжнародні донори, НУО та Міністерство соціальної політики запустили багатокомпонентний проект задля поліпшення систем перенаправлення та послуг, орієнтованих на жертв насильства, в п'яти регіонах (території під контролем уряду та території поза ним). Важливі види діяльності включають навчання з питань ІЗН для працівників правоохоронних органів та системи охорони здоров'я, використання мобільних команд з фахівців, які працюють з жертвами на місці, посилення механізму перенаправлення та розширення робочих годин безплатної національної телефонної гарячої лінії на цілодобову роботу. Але також потрібні додаткові послуги, такі як притулки та довготривала підтримка, і необхідно підвищити спроможність органів кримінальної юстиції переслідувати гвалтівників та притягати їх до відповідальності.

Україна є пріоритетною країною для **Ініціативи USAID «Жінки, мир та безпека»**, а уряд України вже прийняв національний план дій для впровадження Резолюції Ради Безпеки ООН 1325 «Жінки, мир, безпека». Національний план дій не лише закликає до співпраці з попередження ІЗН та реабілітації потерпілих від нього осіб, але й пропонує можливості підвищити залученість жінок до миротворчості та розв'язання конфліктів як представниць уряду та діячок громадянського суспільства. Поки що впровадження національного плану дій відбувалося повільно через нестачу взаєморозуміння стосовно певних дій і того, яка з агенцій за що відповідає, а також через обмежений бюджет на його виконання. USAID/Україна може відіграти власну роль у підтримці уряду у впровадженні його зобов'язань стосовно жінок, миру та безпеки, не лише в рамках гуманітарної допомоги та допомоги у перехідному періоді, але також в програмах з децентралізації, управління, політичної участі жінок, та доступу до правосуддя.

### **Пріоритетні рекомендації:**

- Наскрізно запровадити гендер в усі види діяльності, пов'язані із гуманітарною допомогою та ВПО, і забезпечити, щоб жінки-ВПО, особливо ті, які очолюють свої родини, отримували всебічну підтримку, не лише стосовно питання гендерного насильства, а й у сферах політичного й економічного уповноваження, доступу до охорони здоров'я, соціальних послуг, житла та освіти.
- Розробити цільові програми з економічного уповноваження для жінок-ВПО через підтримку підприємництва, перепідготовку для більшої відповідності потребам місцевого ринку праці та виробничу практику, щоб поліпшити їхні шанси на довготривалу інтеграцію, з особливою увагою до жінок-рома і кримських татарок.
- Підтримувати НУО та державні органи, які працюють з жертвами гендерно-зумовленого насильства зі спільнот, зачеплених конфліктом, щоб підвищити їх

спроможність надавати комплексні послуги, а також спеціалізовану допомогу окремим групам потерпілих (включаючи чоловіків, які зазнали сексуального та гендерно-зумовленого насильства).

# I. INTRODUCTION

In accordance with Agency-wide policy,<sup>3</sup> the United States Agency for International Development for Ukraine (USAID/Ukraine) strives to advance equality between women and girls and men and boys, and to ensure that they have equal opportunities to contribute to and benefit from the economic, social, cultural and political development of their country. The Mission takes an inclusive approach to its development planning. This approach means that in addition to ensuring gender equality and female empowerment, the planning, design, implementation, monitoring and evaluation of USAID/Ukraine programs include marginalized, vulnerable, underrepresented or at-risk groups, with particular attention to the inclusion of people with disabilities and lesbian, gay, bisexual, transgender and intersex (LGBTI) populations.<sup>4</sup> USAID's Gender Equality and Female Empowerment Policy endorses this approach, in which the goal of equality is understood to apply to all, "regardless of age, sexual orientation, gender identity, disability status, religion, ethnicity, socioeconomic status, geographic area, migratory status, forced displacement or HIV/AIDS status." Comprehensive gender analysis, therefore, includes information that not only describes the roles and experiences of "females" and "males" but also considers the relative empowerment of groups of women and men and whether their specific needs are being met.

## PURPOSE AND SCOPE OF THE GENDER ANALYSIS

In early 2017, USAID/Ukraine began the mission-wide process of formulating a new Country Development Cooperation Strategy (CDCS) for the period of FY 2017 to 2022. In line with USAID policy requiring gender integration throughout the program cycle,<sup>5</sup> the CDCS must be based on solid evidence and analysis that provides both country and sector-level quantitative and qualitative information on key gender gaps in Ukraine. USAID/Ukraine commissioned this gender analysis to inform the CDCS process and provide the Mission with an overview of the most significant gender issues affecting Ukraine at present as well as potential development challenges that may arise over the next several years for the specific sectors where Mission resources are likely to be concentrated.

The following gender analysis primarily aims to generate data, qualitative information and recommendations and guidance on ways to integrate gender throughout the CDCS. The analysis should also serve as a reference document for future project and activity design, implementation and monitoring and evaluation. The scope of the gender analysis is structured around USAID/Ukraine development objectives (DOs), with information about trends, dynamics, challenges and opportunities provided for sector and sub-sector for each DO. The sectors addressed in this report correspond with the strategic priorities already identified by the Mission. Additional contextual information is also provided, and particular attention is given to several themes that are cross-cutting in Ukraine. In addition, the Mission has identified the topics of anti-corruption, youth, and European Union (EU) integration, as cross-cutting in future Agency work.

While the primary audience for this analysis is USAID/Ukraine, it is hoped that the report will also prove useful to a wider group of development organizations, government policy-makers, civil society organizations (CSOs) and researchers. For this reason, the scope of the analysis is at times

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<sup>3</sup> USAID, *Gender Equality and Female Empowerment Policy*, 2012.

<sup>4</sup> USAID/Ukraine, *Mission Order: Inclusive Development in Mission Operations and Programming*, Number MO205, 2014.

<sup>5</sup> See USAID Automated Directives System (ADS) 201.3.2.9 and 205.3.3.

slightly broader than the current USAID/Ukraine portfolio. The final section of this report presents recommendations for gender integration as well as sample performance indicators addressed mainly to the Mission, with some recommendations for a broader audience. The Scope of Work for the Ukraine gender analysis is attached as Annex A to this report.

## METHODOLOGY

The gender analysis was carried out by two consultants (Elisabeth Duban and Olena Suslova) who conducted a relatively rapid assessment using varied data collection methods. The gender analysis was based on the Six Domains of Gender Analysis (the framework recommended by USAID) that is used to collect information about gender differences in six areas of inquiry. The methodology used to complete the analysis relied on an extensive literature review and interviews with key stakeholders during fieldwork conducted in Ukraine.

Materials that were reviewed include sample gender analysis statements (from project appraisal documents), program assessment reports, presentations and strategy documents supplied by USAID/Ukraine. The gender analysis also relies on a review of national law and policy, background documents on gender themes, assessments and reports written by international development organizations working in Ukraine as well as Ukrainian CSOs, analytical articles and some media reports. There is a wealth of analytical material on gender issues specific to Ukraine, both in English and Ukrainian languages, and while efforts were made to conduct as thorough as possible a review of these documents, future project design would benefit from further consultation of sector-specific reports.<sup>6</sup> When conducting the analysis, particular attention was given to compiling relevant sex-disaggregated data from official sources (such as the State Statistics Service of Ukraine) whenever they are available.

### The Six Domains of Gender Analysis:

- Access to assets
- Knowledge, beliefs, and perceptions
- Practices and participation
- Time and space
- Legal rights and status
- Balance of power and decision making

Over an approximately ten-day period (in February-March 2017), the assessment team carried out meetings in Ukraine. The consultants met with USAID/Ukraine program managers to discuss gender issues under the current Mission portfolio, with particular attention to identifying any gender gaps and determining whether implementing partners are effectively integrating gender into their projects. Meetings were also held with key stakeholders representing international development organizations, governmental authorities and policy-makers, USAID implementing partners, non-governmental organizations that address gender equality in various forms (for example, representing particular groups of women or issues that have a gendered impacts) and independent gender experts.<sup>7</sup>

Due to limitations on time and travel, the majority of meetings were held in Kyiv. However, efforts were made to obtain information about gender issues in areas outside of the capital. The assessment team held several meetings in Kramatorsk, Donetsk oblast and also conducted a small number of interviews by skype. Still, the resulting gender analysis by no means provides a nuanced view of gender issues by region; nor does it fully address the priorities or needs of women and men living in areas currently not under the control of Ukrainian authorities (Crimea and parts of Donetsk and Luhansk oblasts) or in so-called “grey zones” (intermediate territory between government

<sup>6</sup> A bibliography is included as Annex B to this report.

<sup>7</sup> A complete list of individuals met during the fieldwork for the gender analysis is included as Annex C to this report.



controlled areas and those that are outside of government control). Given the significance of Ukraine's population of internally displaced persons (IDPs), this gender analysis includes information about the impact of conflict and displacement as both a cross-cutting issue and in a section on humanitarian assistance.

Lastly, the gender analysis aims to cover a breadth of topics that may be relevant to the USAID/Ukraine portfolio beginning in FY 2017, but it cannot address all relevant and emerging gender issues. One of the most striking findings of the analysis process was the extent to which policy and programming related to gender equality are in flux at the moment. The dynamism of the gender equality landscape is a positive indication that change is taking place, but it also means that this analysis report only captures a moment in time and some of the findings may not be relevant for long. Therefore, where applicable, recommendations are included about where additional sector- or topic-specific gender analysis may be needed in the future.

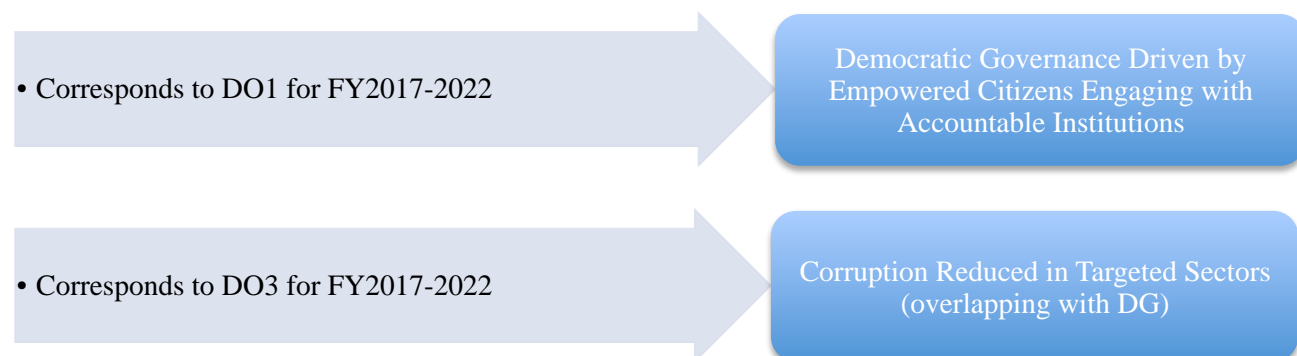
## USAID MISSION CONTEXT

At the time of conducting this gender analysis, the Mission is in the process of drafting a CDCS and, therefore, new DOs and intermediate results (IRs) have not yet been solidified. However, four DOs and several IRs have been identified for FY 2017-2022 that build on the previous assistance objects (as articulated in the CDCS for FY 2012-2016). It is useful, therefore, to briefly review the Mission's previous assistance objects for 2012-2016, which cover USAID/Ukraine's on-going programming, as well as how they compare with the planned DOs for the next five years.

The Mission formulated three development objectives under the previous CDCS: (1) More Participatory, Transparent and Accountable Governance Processes; (2) Broad-Based, Resilient Economic Development as a Means to Sustain Ukrainian Democracy; and, (3) Improved Health Status in Focus Areas and Target Groups. The key themes addressed by on-going USAID programming guided the selection of topics included in the gender analysis report and are listed below. Recommendations included in this report aim to provide guidance for USAID/Ukraine in future work, and so they also reflect the newly-agreed upon DOs for 2017 onwards. Note that DOs for FY 2017-2022 each incorporate several cross-sectoral themes and therefore do not overlap precisely with those of the previous CDCS. References to how the themes around which this report is organized will most likely be addressed under the future DOs are also provided.

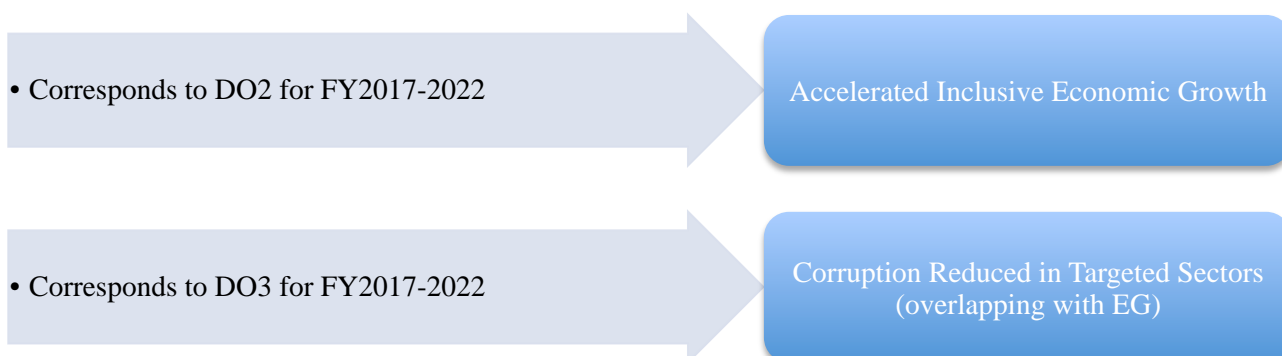
### **Democracy, Human Rights and Governance (DG)**

Programs address the following themes: rule of law and human rights, civil society development, media development, governance and decentralization, and fighting corruption.



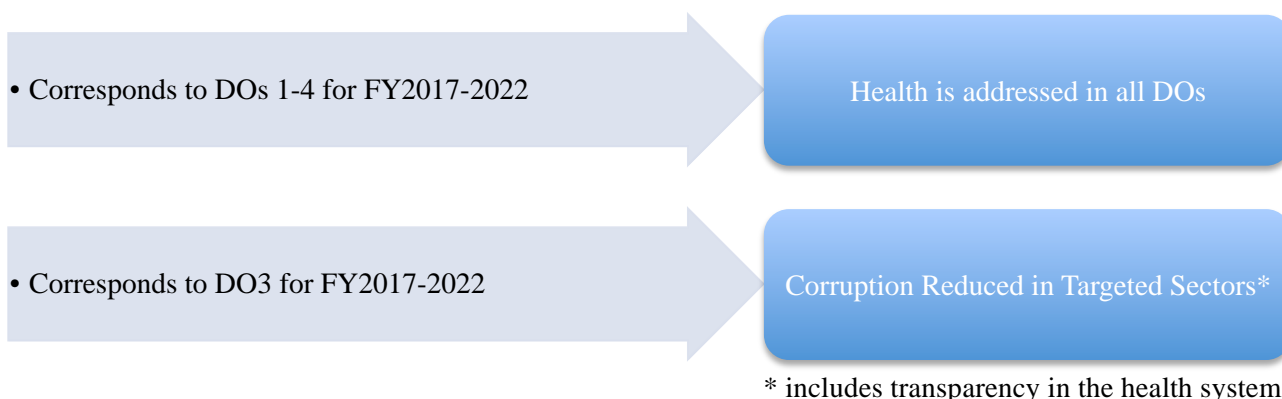
## Economic Growth (EG)

Programs address the following themes: private sector development, especially improving government support for small and medium-sized enterprises (SMEs) including creating conditions supportive of agricultural enterprises, financial sector development, trade policy, and promoting energy security.



## Health

USAID/Ukraine implements the President's Emergency Plan for AIDS Relief (PEPFAR) and, among several themes, focuses on improving the reach of HIV services to the most at-risk populations, strengthening the health care system response to HIV/AIDS, which includes reducing discrimination against at-risk populations, and improving measures to detect, control and treat multi-drug resistant tuberculosis (MDR-TB).



USAID/Ukraine currently provides **humanitarian and transition assistance** to IDPs and conflict-affected populations, in partnership with the Office of U.S. Foreign Disaster Assistance (OFDA) and the Office of Transition Initiatives (OTI). USAID/Ukraine envisions a Mission-wide DO for 2017-2022 that includes mitigating the effects of conflict and working towards social and economic reintegration of conflict-affected areas.



USAID/Ukraine supports a special objective<sup>8</sup> to **counter trafficking in persons**, which includes activities to improve government referrals and reintegration assistance and to support non-governmental service providers under the national referral mechanism.

## II. UKRAINE IN CONTEXT

Ukraine is one of the largest countries in Europe in terms of territory, and as of 2017 it is home to more than 42.5 million people (22 872 998 women and 19 717 881 men).<sup>9</sup> The majority of the population (around 70%) lives in urban locations.

### RECENT EVENTS

Ukraine's long history reaches back to statehood in the tenth and eleventh centuries and encompasses a number of changes in power and borders, war, economic recession and also prosperity. Since the last CDCS and country-wide gender analysis were completed for USAID/Ukraine in 2012, the country has experienced several years of intense political and economic change. The period from late 2013 to the present has been characterized by both an increased demand for democratic reforms and respect for human rights and also a resurgence in traditional and patriarchal values.

From 2013-2014, people of Ukraine engaged in large-scale demonstrations in Kyiv and other cities (collectively termed "Euromaidan" and also known as the Revolution of Dignity), starting as protests over the withdrawal by then-President Yanukovych from the European Union Association Agreement process and establishment of closer ties with the Russian Federation. Demonstrators demanded an end to corruption and abuse of power and for closer integration with Europe. Pro-Yanukovych supporters, predominately located in the Eastern part of the country, also staged civil unrest. By early 2014, the Euromaidan in Kyiv had become increasingly violent when riot police clashed with protestors, but ultimately the Euromaidan events led to an important change in government based on a pro-reform platform. While the Euromaidan was not a single or unified event, it has been noted that women had a much greater and more visible role throughout the 2013-2014 demonstrations than in the previous Orange Revolution (2004-2005) in which they are mainly remembered as "'helpers' of men who were driving the revolution."<sup>10</sup>

Experts are still discussing the role (or, indeed, roles) of women in the Euromaidan and how their participation differed from that of their male counterparts. When the peaceful protests began, almost half of the demonstrators (41%) were women, but as the protests became increasingly more violent and took on a paramilitary form, women's presence decreased to as low as 12%.<sup>11</sup> By early 2014, the demonstrations were markedly gender segregated, and women were usually excluded from the barricades during times of violence. Nevertheless during the day they provided important "reproductive labor," such as cooking, cleaning and giving medical care and played administrative and coordination roles outside of the main protest areas. Female activists described times when they were "confronted with sexism and patriarchy on the Maidan," in the form of the gendered

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<sup>8</sup> Note that the Mission also supports a second special objective on supporting the Chornobyl Shelter Fund, but this activity was not included in the current gender analysis.

<sup>9</sup> State Statistics Service of Ukraine population data (excluding the occupied territories of the Autonomous Republic of Crimea, and the city of Sevastopol).

<sup>10</sup> Tamara Martsenyuk, "Gender Issues in Ukraine: Were the EuroMaidan Protests Patriarchal or Egalitarian?," *Anti-Gender Movements on the Rise?*, Publication Series on Democracy, (Berlin: Heinrich Böll Stiftung, 2015), 75.

<sup>11</sup> Ibid, 75.

division of labor and a discourse that emphasized a “masculinization of patriotic heroism.”<sup>12</sup> Still, there are many examples of women both criticizing the “sexist discourse” of the Euromaidan and organizing grassroots “feminist projects” and direct actions- events which were given publicity during the protests.<sup>13</sup>

In much the same way that the Euromaidan reflected dominant societal views of gender roles, protestors brought with them their own understanding of the limits of human rights and tolerance. Not only were feminist demands not very visible once the protests became less focused on a pro-Europe platform, but LGBTI activists who were advocating for their own rights were at times met with a homophobic response from other protestors.<sup>14</sup> Both the women’s and the LGBTI rights movements in Ukraine predate the Euromaidan, but the events of 2013-2014 arguably presented a new opportunity for women’s rights and gender equality issues to be communicated to a broader segment of the Ukrainian population. Furthermore, the Euromaidan solidified support for integration with Europe and may have galvanized activists on gender issues to continue to challenge the *status quo* and demand respect for their rights.

Soon after protestors took control of presidential offices in Kyiv and the interim government was formed, Russian armed troops occupied Crimea and staged an illegal annexation of the territory. In March 2014, the newly installed pro-Russia government of Crimea held a disputed referendum, the official result of which was 97% in favor of independence for the Autonomous Republic of Crimea and Sevastopol and integration into the Russian Federation.<sup>15</sup> In the next month, pro-Russia and anti-government demonstrations that had been held in Donetsk and Luhansk oblasts (referred to as the Donbas region) as well as other parts of southern and eastern Ukraine escalated to armed conflict. When separatists seized territories in Donbas, the government launched what is known as an anti-terrorist operation (ATO), which has been ongoing for three years and has effectively become a frozen conflict despite the negotiation of several ceasefire agreements (for example, Minsk and Minsk II ceasefires in 2014 and 2015, respectively). Today, Donetsk and Luhansk oblasts are divided into government-controlled areas (GCA) and areas beyond government control (NGCA).

The gender-based impacts and vulnerabilities of women and men in the Ukrainian conflict are complex topics that should not be reduced to an analysis of who suffers the greatest harm but as cross-cutting themes of agency and opportunity. While men make up the majority of combatants and those killed in the conflict, they are also impacted by limitations on their movement, lack of employment opportunities and loss of social benefits. Cases of gender-based violence committed against both females and males have been documented in territories controlled by the government of Ukraine and by armed groups. Women are victims of the conflict, but they may also be active participants in the military and in combat operations.

Against this background of active conflict, Ukraine is undertaking extensive reform projects, outlined in an 18-point program that covers, *inter alia*, anti-corruption, constitutional and judicial reform, law enforcement reform, decentralization of government powers, deregulation,

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<sup>12</sup> See generally, Olga Onuch and Tamara Martsenyuk, “Mothers and Daughters of the Maidan: Gender, Repertoires Of Violence & The Division of Labour in Ukrainian Protests,” *Social, Health, and Communication Studies Journal*, Vol. 1, No. 1, 2014, 105-126.

<sup>13</sup> Ibid.

<sup>14</sup> Tamara Martsenyuk, “Sexuality and Revolution in Post-Soviet Ukraine: LGBT Rights and the Euromaidan Protests of 2013–2014,” *Journal of Post-Soviet Politics and Society*, Vol. 2, No. 1, 2016.

<sup>15</sup> The UN General Assembly considers the referendum to have had no validity and to have been conducted without the authority of the Ukraine government. General Assembly Resolution No. 68/262 Territorial integrity of Ukraine, 27 March 2014. The U.S. Department of State recognizes Crimea as part of Ukraine’s sovereign territory.

entrepreneurship and financial sector reform, energy and agricultural reforms, health care reform, and national security. The promotion of gender equality could overlap with virtually all of the reforms areas, but as outlined in more detail in a later section of this report, the various measures that are being introduced by the Ukrainian government to combat discrimination and promote equality largely run parallel to, but do not intersect with, national reform efforts.

## GENDER EQUALITY INDEXES FOR UKRAINE

Indicators of human development, and particularly of the gender dimensions of development, suggest that progress toward gender equality in Ukraine has been uneven, with positive indicators in some areas but others that are lagging behind. The United Nations Development Program (UNDP) uses the Gender Inequality Index (GII) to measure the extent to which national development achievements are eroded by gender inequality. The index is a composite of five indicators in the areas where women face inequalities (reproductive health, secondary education, the labor market and political representation). Ukraine's 2015 value of 0.284 represents a 28% loss in achievement due to gender inequality.<sup>16</sup> This value is close to the regional average for Europe and Central Asia (0.279), but it also indicates a lower level of gender equality than for the Organization for Economic Co-operation and Development (OECD) countries combined. See Table 1. Ukraine's GII value represented a rank of 55 out of 188 countries.

Looking at the individual indicators that make up the GII, it is clear that low female representation in national political office is counteracting positive achievements in other areas and lowering Ukraine's overall value and rank.

**Table 1. Gender Inequality Index (GII) Values for Ukraine, Compared to Regional Values (2015)**

	2015 GII Value	Maternal mortality ratio (deaths per 100 000 live births)	Adolescent birth rate (births per 1 000 women aged 15-19)	Share of seats in parliament (% held by women)	Population with some secondary education (% aged 25 and over)		Labor force participation rate (% aged 15 and over)	
					F	M	F	M
<b>Ukraine</b>	0.284	24	24.1	12.1	94.3	96.0	52.2	67.4
<b>Europe and Central Asia</b>	0.279	24	26.6	19.0	78.1	85.7	45.4	70.5
<b>OECD</b>	0.194	15	22.4	27.7	84.2	86.9	51.1	68.6

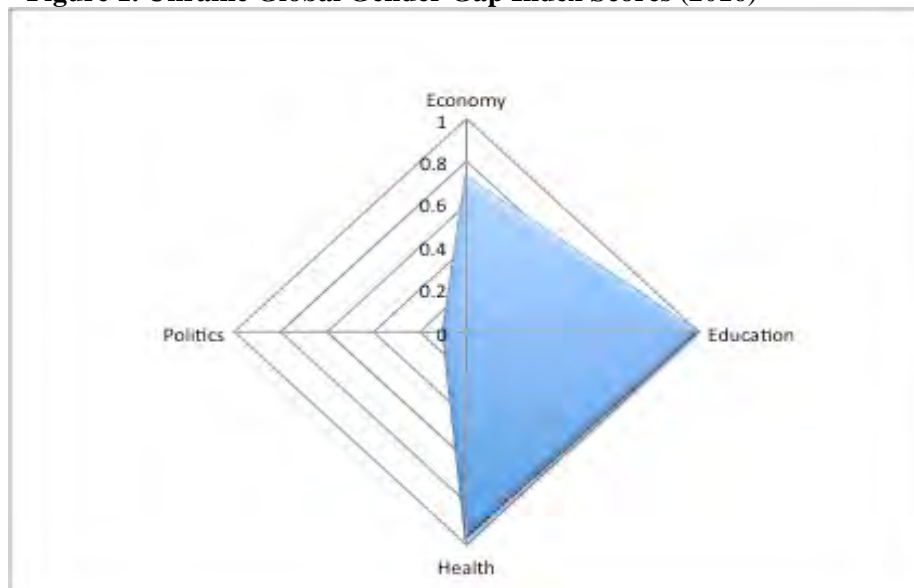
Source: UNDP, *Human Development Report 2016. Human Development for Everyone*, Statistical Annex, Table 5: Gender Inequality Index, (New York, 2016) 215, 217.

The World Economic Forum Global Gender Gap offers another snapshot of how Ukraine is faring in terms of progress towards equality, based on an index of scores for four key indicators (economic

<sup>16</sup> Under the GII, zero indicates that men and women fare equally, and there are no losses due to inequality. A score of 1.00 signifies that women fare as poorly as possible in all measured dimensions. UNDP, *Human Development Reports: Gender Inequality Index*, accessible from: <http://hdr.undp.org/en/content/gender-inequality-index-gii>.

participation and opportunity, educational attainment, health and survival, and political empowerment).<sup>17</sup>

**Figure 1. Ukraine Global Gender Gap Index Scores (2016)**



Source: World Economic Forum, Global Gender Gap Report 2016, (Geneva, 2016).

2016 scores for Ukraine echo those of UNDP's GII values. Namely, the country has achieved a situation close to gender parity in the education and health sectors (based on measures such as enrolment in primary and secondary education, healthy life expectancy and sex ratio at birth), but has low scores in economic participation and opportunity and politics (in particular, scores are low in the sub-sectors of income levels, representation of women

as senior officials and managers, and women in national political office), as illustrated in Figure 1.

## INTERNATIONAL OBLIGATIONS AND GENDER EQUALITY GOALS

Ukraine's international obligations concerning gender equality stem from commitments contained in UN treaties, most significantly the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and reflect the human rights standards and directives of the Council of Europe and European Union.

Ukraine ratified CEDAW in 1981 (as the Ukrainian Soviet Socialist Republic) and in March 2017 presented its eighth periodic report on implementation of the convention to the CEDAW Committee. After adopting the Beijing Declaration and Platform for Action at the Fourth World Conference on Women (1995), Ukraine began the process of establishing a national institutional mechanism for gender equality and "aligning the national legislative framework with international standards."<sup>18</sup>

The state also committed to achieving Goal 3 (promoting gender equality) of the Millennium Development Goals (MDGs) and articulated two targets ("Ensure gender representation at the level of no less than 30–70 percent in representative bodies and high-level executive authorities" and "halve the gap in incomes between women and men").<sup>19</sup> At present, the Ministry of Economic

<sup>17</sup> Scores ranging from 1 (the highest possible score representing equality) to 0 (inequality) are assigned to each of the indicators and sub-indicators and also compiled into a composite score. See World Economic Forum. 2016. Global Gender Gap Report 2016. Geneva. <http://reports.weforum.org/global-gender-gap-report-2016/>.

<sup>18</sup> Government of Ukraine, *Ukraine: National Review of Implementation of the Beijing Declaration and Platform for Action (1995) and the outcomes of the twenty-third special session of the General Assembly (2000) in the context of the twentieth anniversary of the Fourth World Conference on Women and the adoption of the Beijing Declaration and Platform for Action (2015)*, (Kyiv, 2014) [Beijing +20 National Review].

<sup>19</sup> UNDP, *Millennium Development Goals, Ukraine 2000-2015*, (Kyiv, 2015), 43.

Development and Trade, working on cooperation with UN agencies in Ukraine, CSOs, academia and gender advocates, is conducting a series of national and community-level consultations on the **Sustainable Development Goals** (SDGs), including Goal 5 (achieve gender equality and empower all women and girls). Of note, during national consultations held in 2016 with around 300 participants, experts evaluated the relevancy of the SDGs for Ukraine and assigned Goal 5 a score of 2.96 (out of a maximum of five points). Not only did Goal 5 receive the lowest score of all the SDGs, but there was a marked difference in opinion between government institutions, civil society organizations and international organizations (which assigned respective scores of 3.32, 3.52 and 2.46).<sup>20</sup> While not conclusive, this finding suggests that international organizations may not be following the lead of either the Ukrainian government or non-governmental organizations in terms of the importance placed on gender equality and female empowerment within the reform agenda.

When Ukraine signed the **European Union Association Agreement** in 2014, the government undertook to advance goals toward gender equality and to “ensure equal opportunities for women and men in employment, education, training, economy and society, and decision-making.”<sup>21</sup> From the perspective of policy development, the Association Agreement means that EU-wide policy (for example, the five priority areas as articulated in the Strategic Engagement for Gender Equality 2016-2019<sup>22</sup>) lays the foundation for cooperation between the Ukrainian government and other stakeholders on reaching European targets. The Association Agreement also requires that EU directives on anti-discrimination and gender equality be implemented in Ukrainian law within three years of the Agreement entering into force (by August 2017).<sup>23</sup> Experts determine that progress toward implementation of the four key directives has thus far been unsatisfactory. Specifically, some of the measures have been “superficial” (meaning that the name of the document supports gender or anti-discrimination goals but the proposed measures within do not address those goals).<sup>24</sup> EU policy calls for gender mainstreaming processes and the use of positive actions to counteract historical discrimination and underrepresentation of a particular group in employment (which is not considered a violation of the principle of equal treatment), such as targets or quotas in recruitment and promotion, grants or training programs, or specific legislation.

As a member of the **Council of Europe** (CoE), Ukraine has ratified key European human rights documents that guarantee gender equality (for example, the European Convention on Human Rights and the European Social Charter). Most significantly, Ukraine signed the Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) in 2011 and since then has been preparing to ratify it- a process that will also require bringing domestic law in line with the standards of the Convention. The specific topic of progress toward ratification of the Istanbul Convention is discussed in more detail in the following section of this report on access to justice.

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<sup>20</sup> Department of Economic Strategy and Macroeconomic Forecasting of the Ministry of Economic Development and Trade of Ukraine, *Sustainable Development Goals: Ukraine, National Consultations*, (Kyiv, 2016), 4.

<sup>21</sup> Title V, Economic and Sector Cooperation, Chapter 21, Cooperation on Employment, Social Policy and Equal Opportunities, Articles 419, 420.

<sup>22</sup> European Commission, 2015.

<sup>23</sup> A national Action Plan on Implementation of the Association Agreement between Ukraine and the European Union and its Member States for the Years 2014–2017 outlines specific targets for implementing Articles 419 and 420 of the Association Agreement.

<sup>24</sup> Elena Zakharova, Director of Analysis and External Relations, International Center for Policy Studies, “Імплементация гендерних директив Угоди про асоціацію між Україною та ЄС: чи є прогрес?” [Implementation of gender directives of the Association Agreement between Ukraine and the EU: Is there progress?], presentation at panel discussion on *Gender Aspects of the Association Agreement, Implementation or Imitation*, (17 October 2016, Kyiv), accessible from: <http://icps.com.ua/en/our-projects/current-projects-icps/modernising-political-competition-and-public-service-in-ukraine-via-gender-equality-implementation/>.



## NATIONAL LAW, POLICY AND INSTITUTIONS ON GENDER EQUALITY

The following section provides a brief review of the most significant law and policy documents concerning gender equality. As noted above, the EU integration process has precipitated a number of legislative reforms, and the legal landscape continues to change, in the form of amendments, presidential decrees and directives.

### *Ukrainian law*

The **Constitution of Ukraine** enshrines the equal rights of women and men before the law and provides for equal treatment (“no privileges or restrictions”) on the basis of sex, as well as other protected characteristics.<sup>25</sup> The rights apply to public, political and cultural life, education and work, and the Constitution provides for the use of “special measures for the protection of work and health of women,” such as pension privileges and conditions that allow women to “combine work and motherhood” (which includes legal protections and paid maternity leave).<sup>26</sup> The on-going constitutional reform process may very well impact how gender equality principles are addressed in Ukrainian legislation. An expert Constitutional Commission proposed amendments to provisions containing principles of equality and non-discrimination in a revised section on human rights. Experts voiced concern that the draft text is problematic because it places too much emphasis on equality only in labor relations and “underplays the problem of discrimination in other areas of life;” the scope of the amended articles is too narrow (only addressing inequality on the basis of sex- “for women and men”) and does not conform to EU law and standards.<sup>27</sup> Because the Constitutional Commission has not been working for several years, however, the draft text is not under consideration and the issue of how equal rights will be articulated in the new Constitution has not been resolved.

The Ukrainian national legislative framework on gender equality and non-discrimination can be found in three stand-alone laws<sup>28</sup>:

- Law on Ensuring Equal Rights and Opportunities for Women and Men (2005)
- Law on the Principles of Prevention and Combating Discrimination in Ukraine (2012)
- Law on Introducing Amendments to Certain Legislative Acts of Ukraine regarding Preventing and Countering Discrimination (2014)

The relatively recent passage of anti-discrimination legislation reflects the fact that for many years officials argued that such specific laws were not necessary (based on the existence of an equality clause in the Constitution and non-discrimination principles articulated in other laws, such as the Labor Code, as well as a lack of jurisprudence on the issue) and CSOs were not particularly active in fighting discrimination (but, rather, represented the rights of specific groups).<sup>29</sup> Indeed, the passage of the 2005 equal rights law, after eight attempts before the national parliament, has been attributed to persistent advocacy efforts by gender focused NGOs.<sup>30</sup>

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<sup>25</sup> Part II, Article 24.

<sup>26</sup> Ibid.

<sup>27</sup> Olena Uvarova, “Ukraine National Report,” in *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 128-129.

<sup>28</sup> Note that other relevant laws are addressed in separate sections of this report and are also listed in Annex D.

<sup>29</sup> Iryna Fedorovych, *Anti-Discrimination Legislation in Ukraine – Box Ticking for the EU or Real Reforms to Ensure Equality for Ukraine’s Citizens? Policy Report*, (Kyiv: Renaissance Foundation/Open Society Foundation, 2016), 2.

<sup>30</sup> Mykhailo Koriukalov, *Gender Policy And Institutional Mechanisms of its Implementation in Ukraine, National review of Ukraine’s implementation of the Beijing Declaration and Platform for Action and the outcomes of the Twenty-third special session of the General Assembly*, (Kyiv: UN Women, Friedrich Ebert Foundation, Ukrainian Women’s Fund, 2014), 6.

The 2005 law on Equal Rights was the first to include definitions of discrimination on the basis of sex and of sexual harassment, but it was not until 2012 when the state was required to introduce comprehensive anti-discrimination legislation in order to conform with EU Directives, that a broad definition of discrimination (on a number of protected grounds) was introduced. The 2012 anti-discrimination law permits the use of positive actions to accelerate progress toward equality for disadvantaged groups, and it also expanded the mandate of the Ukrainian Parliament Commissioner for Human Rights to serve as a National Equality Body. The 2014 legislative amendments introduced important definitions of direct and indirect discrimination as well as discriminatory intent. The legal framework also requires that draft laws be subjected to expertise to ensure that they comply with the principle of equal rights and opportunities for women and men and that they are not discriminatory on any grounds.

Ukraine's gender equality and anti-discrimination legislation is generally considered inadequate in several respects, such as the following: the body of anti-discrimination legislation is not harmonized and discrimination occurring in the public and private spheres, as well as intersecting forms of discrimination (for example on the grounds of sex and national identity as Roma women face), are not adequately addressed;<sup>31</sup> the list of protected grounds is not comprehensive (specifically, there was strong opposition from some members of the government to including sexual orientation and gender identity as grounds for discrimination);<sup>32</sup> there is no shifting of the burden of proof in civil cases (meaning that in Ukraine the plaintiff must prove that the defendant acted with discriminatory intent); there are inadequate legal remedies (in particular, civil and administrative liability for acts of discrimination, including on the basis of sex, are not covered) and complaint mechanisms.<sup>33</sup> Other factors that contribute to the fact that anti-discrimination provisions are rarely invoked in court, and infrequently used by women to protect their rights, are discussed in a subsequent section of this report on access to justice.

### *National policy*

National policy on gender equality includes three successive state programs (national action plans) on equal rights and opportunities for women and men. For almost three years there was a void in state policy on gender equality when the first national action plan ended (in 2010) and the next, the State Program on Ensuring Equal Rights and Opportunities of Men and Women until 2016, was not adopted until 2013. This lengthy period of inactivity is attributed to weak national coordination mechanisms, administrative reforms, parliamentary elections in 2012, and lack of government commitment.

The 2016 national action plan provided some impetus to address gender issues on a national scale and was based on the MDGs for Ukraine and the concluding observations of the CEDAW Committee. In comparison to the previous state program, the 2016 program had greater financing and included funds from the state budget, local budgets and other sources, such as development aid and grants.<sup>34</sup> The process for drafting the 2016 state program included the participation of non-governmental experts which led to an improvement in the quality of the document as well as the delineation of specific objectives and indicators. Still, the influence of the state programs appears

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<sup>31</sup> Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ukraine, 9 March 2017, CEDAW/C/UKR/CO/8, para. 21(a).

<sup>32</sup> Iryna Fedorovych, *Anti-Discrimination Legislation in Ukraine – Box Ticking for the EU or Real Reforms to Ensure Equality for Ukraine's Citizens? Policy Report*, (Kyiv: Renaissance Foundation/Open Society Foundation, 2016), 2.

<sup>33</sup> Ukrainian Parliament Commissioner for Human Rights, *Shadow report (Submission) on implementation of the UN Convention on the elimination of all forms of discrimination against women by Ukraine*, (Kyiv, 2017), 3.

<sup>34</sup> Mykhailo Koriukalov, *Gender Policy And Institutional Mechanisms of its Implementation in Ukraine, National review of Ukraine's implementation of the Beijing Declaration and Platform for Action and the outcomes of the Twenty-third special session of the General Assembly*, 12.

to be rather minimal. During research for this gender analysis, no monitoring reports for the State Program to 2016 were found. The goals of the national action plans are also to be replicated and implemented at the regional level.

A Concept for a State Social Program on Equal Rights and Opportunities for Men and Women for 2017-2021 was approved by the government of Ukraine on April 5, 2017, which tasks the Ministry of Social Policy to develop the program itself within the next six months. The concept frames gender equality as a precondition for sustainable socio-economic development and notes that among women some groups are subjected to multiple discrimination (namely, older women, women and girls with disabilities, especially those who live in rural areas, women living with HIV and/or drug addicted women and women from national minority groups).<sup>35</sup> It also lays out the sources of gender inequality which are effectively the key issues to be addressed and include: the lack of a gender component in national reforms, the low capacity of state authorities to mainstream or address gender, weaknesses in data-collection, the lack of a comprehensive and legal system to respond to discrimination or gender-based violence, and the persistence of gender stereotypes. A new approach is recommended in which the Ministry of Social Policy is not solely responsible for the promotion of gender equality but there is greater cooperation between public authorities at all levels, including such stakeholders as the Verkhovna Rada, the Parliament Commissioner for Human Rights, professional associations representing multiple sectors, trade unions, the media, civil society groups, international organizations and the private sector.

In addition to policy on gender equality, Ukraine has enacted a number of strategies that address human rights protection and the prevention of discrimination. For example, the Strategy for Preventing and Combating Discrimination in Ukraine for 2014-2017 and action plan for the implementation of the strategy, of the Parliament Commissioner for Human Rights,<sup>36</sup> applies to the most commonly-occurring forms of discrimination, including on the basis of sex (gender) and sexual orientation and gender identity.

Building on the above-mentioned strategy, the National Human Rights Strategy for Ukraine, adopted in 2015 and covering the period up to 2020, was drafted in order to strengthen mechanisms for protecting human rights and freedoms. The National Human Rights Strategy aims to unite “society around understanding the value of human rights and freedoms that shall be protected equally and without discrimination” and views human rights as a key driver of the decision-making by state and local authorities.<sup>37</sup> Several sections of the National Human Rights Strategy are particularly relevant to gender- on preventing and combating discrimination, ensuring equal rights for women and men in all areas of public life, and combating gender-based violence (including human trafficking and domestic violence). Strategic goals address legislative change, positive actions, data-collection and the development of services for victims of discrimination. While the section dedicated to the equal rights of women and men notes that there is a need to provide a “systemic and comprehensive solution to the problem of discrimination of women in order to ensure full gender equality,” it outlines only very general expected outcomes, such as “improved mechanisms” for ensuring equality and “providing conditions” for balanced participation in decision-making, without providing targeted recommended actions or benchmarks.

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<sup>35</sup> See Order of the Cabinet of Ministers, Про схвалення Концепції Державної соціальної програми забезпечення рівних прав та можливостей жінок і чоловіків на період до 2021 року [On Approval of Concept of the State Social Program on Equal Rights and Opportunities for Men and Women for the period to 2021], 5 April, 2017, No. 229-r, accessible from: <http://www.kmu.gov.ua/control/ru/cardnpd?docid=249890469>.

<sup>36</sup> <http://www.ombudsman.gov.ua/en/page/discrimination/activities/strategy/>

<sup>37</sup> National Human Rights Strategy for Ukraine

The National Human Rights Strategy is, however, complemented by other stand-alone policy, programs and action plans on such topics as domestic violence, human trafficking, and women, peace and security.

Although the overall collection of policy documents addressing equality and discrimination offers quite extensive coverage of important human rights issues, there is a clear absence of gender mainstreaming in national reform processes and in country-wide development policy and strategies. For instance, Ukraine's Strategy 2020, the road map of 62 reforms and programs, is essentially gender blind, only mentioning that everyone, "regardless of gender," will have access to "quality healthcare, education, quality services in state and commercial sectors."<sup>38</sup> The national Strategy for Overcoming Poverty (adopted in 2016) is an exception as it draws attention to the intersections of poverty and gender in terms of the gender pay gap, the need to introduce gender quotas in state enterprises and the particular vulnerabilities of rural women to poverty. The national action plan for implementing the Strategy, however, includes an action on the wage gap but does not mainstream gender in other activities. Experts note that the government lacks the capacity to carry out gender mainstreaming but also that there is a general sense of "embarrassment" among government leaders to raise gender issues in contexts that are not traditionally associated with women, such as the energy, agriculture, industry sectors,.

While women were active during the Euromaidan in calling for change, they have had very limited opportunities to formally influence the reform process during the post-Maidan period.

#### *Government bodies responsible for gender policy*

At the time of conducting this gender analysis, the national gender mechanism is being reformed, and it proved difficult to determine its current functionality or effectiveness. While there appears to be an extensive framework of government bodies responsible for state policy on gender, including a system of coordinators or focal points in state agencies at the national and regional levels, it was not possible to verify the precise number and location of such bodies. Several gender experts interviewed for this project noted that there is a no clear authority on gender issues in the government and a lack of leadership needed to coordinate the varied policy reforms that are taking place. The CEDAW Committee has expressed the urgent need to maintain continuity in gender equality policy and build the capacity of a national mechanism that can "ensure the coordination of gender mainstreaming in all areas and at all levels."<sup>39</sup> Due to weaknesses in the national mechanism the government lacks a strategic approach to gender.

The national mechanism for ensuring equal rights and opportunities for women and men was established by the 2005 Equal Rights law,<sup>40</sup> and it should consist of several legislative and executive bodies, local self-government, the Parliament Commissioner for Human Rights and specialized coordinators within central executive authorities and regional administrations. Originally, the Ministry of Family, Youth and Sports was assigned a coordination role. When the aforementioned ministry was reorganized in 2010, these functions were passed to the Ministry of Social Policy. Due to time lags, organizational difficulties and "the efforts of certain forces to overturn gender policy as a part of the Pro-European ideology of Ukraine,"<sup>41</sup> the national

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<sup>38</sup> Ukraine 2020 Strategy, 10.

<sup>39</sup> Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ukraine, 9 March 2017, CEDAW/C/UKR/CO/8, para. 22.

<sup>40</sup> In addition to Presidential Decree No. 135/2005 on Improving the Work of Central and Local Executive Authorities On Ensuring Equal Rights and Opportunities of Women and Men, 26 July 2005.

<sup>41</sup> Government of Ukraine, *Eighth periodic report of States parties to the CEDAW Committee*, 2015, CEDAW/C/UKR/8, para. 43.

mechanism for ensuring equal rights and opportunities for women and men was considerably weakened and coordination between central and local authorities on implementing gender policy deteriorated.

According to information provided to the CEDAW Committee, the following state bodies are responsible for gender policy at the present time:<sup>42</sup>

- **The Ministry of Social Policy:** Department of Family, Gender Policy and Combating Human Trafficking (with a division on Gender Policy) and Advisory Board on Preventing and Combating Sex Discrimination.
- **Cabinet of Ministers:** Interagency Council on Family, Gender Equality, Demographic Development, Prevention of Domestic Violence and Combating Human Trafficking and the Vice Prime Minister for European and Euro-Atlantic Integration of Ukraine who has been assigned competency for gender equality policy issues.<sup>43</sup>
- **Gender equality coordinators** at the level of deputy heads in central and local executive bodies. Note that only five regions in Ukraine have appointed gender advisors to the heads of regional administrations.<sup>44</sup>
- **Verkhovna Rada** (Supreme Council): Subcommittee on International Legal Affairs and Gender Policy under the Committee on Human Rights, National Minorities, and Interethnic Relations.
- **Parliament Commissioner for Human Rights,** Department on the Rights of Child, Non-Discrimination and Gender Equality.

The Parliamentary Inter-Faction Union for Equal Opportunities of the Verkhovna Rada, while not part of the national machinery, is also an important body in terms of supporting gender equality initiatives.

The Ministry of Education and Science has a gender advisor, and there are plans to assign such a position in the Ministry of Defense. The government describes the gender advisor positions as “advisors on a volunteer basis,” and also has expressed the intention to create “gender working groups on implementation of gender approaches to work [with] organs of power and local authorities.”<sup>45</sup> The recent expansion of the role of the Vice Prime Minister for European and Euro-Atlantic Integration to include gender policy is seen as a significant step towards establishing a Commissioner for Gender Equality Policy in the Cabinet of Ministers, which should have greater powers to coordinate efforts across government agencies and from the national to the regional level. It is hoped that by moving responsibility for gender to the Cabinet of Ministers, government-wide gender mainstreaming, which is foreseen in law and policy documents, will be implemented.

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<sup>42</sup> Government of Ukraine, *List of issues and questions in relation to the eighth periodic report of Ukraine*, 2016, CEDAW/C/UKR/Q/8/Add.1, paras. 40-46.

<sup>43</sup> In March 2017, the Cabinet of Ministers of Ukraine adopted the resolution to include gender equality policy issues in the competency of the Vice Prime Minister for European and Euro-Atlantic Integration. See Web-Portal of the Ukrainian Government: [http://www.kmu.gov.ua/control/en/publish/article?art\\_id=249792322&cat\\_id=244314975](http://www.kmu.gov.ua/control/en/publish/article?art_id=249792322&cat_id=244314975)

<sup>44</sup> Ukrainian Parliament Commissioner for Human Rights, *Shadow report (Submission) on implementation of the UN Convention on the elimination of all forms of discrimination against women by Ukraine*, (Kyiv, 2017), 4.

<sup>45</sup> Government of Ukraine, *List of issues and questions in relation to the eighth periodic report of Ukraine*, 2016, CEDAW/C/UKR/Q/8/Add.1, para. 44.

## SEX-DISAGGREGATED DATA

One of the challenges in conducting this gender analysis was the difficulty in finding sex-disaggregated data for key indicators. It appears that the government of Ukraine has the capacity to generate gender statistics, in conformity with European standards, but there are problems in the dissemination of such data. The State Statistics Service of Ukraine has collected sex-disaggregated data since 2001 for 113 gender-sensitive indicators and also compiles administrative data from over 30 ministries and agencies (about 25% of the statistical templates from these other agencies have sex-disaggregated indicators).<sup>46</sup> These data are published in a biannual compilation, *Women and Men in Ukraine*, (in Ukrainian language) that includes data about demographics, health, education, employment, and economic activity.<sup>47</sup> The catalogue of publications from the State Statistics Service for 2016 also includes the compilation *Children, Women and Family in Ukraine*, to be released in October 2016. This publication could not be located in the electronic database of the State Statistics Service. The online database includes some sex-disaggregated data, but they are not compiled or highlighted as gender statistics and therefore they are not easily accessible to data-users.

When conducting this gender analysis, several important data gaps were revealed (for example, the number of businesses registered to women owners, the number of people with disabilities disaggregated by sex, or data on survivors of gender-based violence). It was not always possible to determine, however, if these data exist but are not available to data-users or are not being collected. Still, the general lack of accessible sex-disaggregated data and gender statistics suggests that this has not been a priority area for the government and also that policy-making concerning gender equality or advancing women's rights is not evidence-based.

## DONOR COORDINATION AND GENDER MAINSTREAMING

While mapping of donor efforts on gender-related programs and activities was not within the scope of this gender assessment,<sup>48</sup> the lack of donor coordination was frequently mentioned during fieldwork as an issue that should be given priority. The fragmented national mechanism and lack of leadership in the Ukrainian government, or lack of a clear point of authority on gender issues, has made donor coordination difficult.

Before the events of 2013-2014, the trend among donors and development agencies was to decrease funding for stand-alone projects with gender themes, or directed toward female beneficiaries, and to integrate gender only in some activities. In 2012, for example, an analysis of 244 registered development projects in Ukraine demonstrated that gender was mainstreamed in only 9.8%. All of the 33 surveyed international agencies reported that they financed gender equality as a cross-cutting issue, and of these 12 financed specific projects with gender themes. Three (the Canadian International Development Agency, the Swiss Agency for Development and Cooperation and USAID) allocated a certain portion of their total budget to achieving gender equality (from 2% to 12%).<sup>49</sup> At the time, it was also reported that “the donor policy dialogue on gender equality issues was irregular and lacked coordination,” and only three agencies conducted regular meetings for

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<sup>46</sup> Mykhailo Koriukalov, *Gender Policy And Institutional Mechanisms of its Implementation in Ukraine, National review of Ukraine's implementation of the Beijing Declaration and Platform for Action and the outcomes of the Twenty-third special session of the General Assembly*, 49.

<sup>47</sup> The most recent *Women and Men in Ukraine* compilation was published in 2015, with some data to 2014. In 2011, a joint UNDP-EU program supported the publication of *Gender Statistics in Ukraine*, which includes data up to 2009-2010.

<sup>48</sup> At the time of preparing this report, the EU Office in Ukraine is planning to carry out a donor mapping exercise.

<sup>49</sup> UN Women/European Commission, *Gender Analysis of Official Development Assistance to Ukraine Baseline Mapping Study*, (Kyiv, 2012-2013), 14, 34.



team leaders, project managers, specialists, consultants, gender focal points, etc.<sup>50</sup> It is likely that the lack of visibility of gender-related projects in donor portfolios contributed to the non-coordination which continued for a number of years.

As some donors are increasing their gender-focused programming, coordination is also improving. At the time of conducting this analysis, the EU and the Embassy of Canada in Ukraine are coordinating their efforts around gender integration in three areas: legislative review, capacity-building for government and increased visibility and public awareness of gender equality issues. The UN Gender Theme Group is an interagency coordination mechanism, but it also engages with gender advocates and women's civil society organizations.

At present, donors working bi-laterally with the Ukrainian government have organized their portfolios to reflect the 18 priority areas of reform, but as noted above, gender has not been adequately mainstreamed into the national reform agenda. This gender blind approach complicates donor coordination because there is no clear entry point to discuss how gender equality goals intersect with other reforms. Furthermore, the fact that donors are themselves not coordinated around a set of gender equality objectives means that they often miss the opportunity to influence the government and provide technical assistance on gender mainstreaming. The above-mentioned mapping of donor assistance also found that in late 2012 just over half (57%) of the gender priorities that were covered by projects of the donor community aligned with national priorities.<sup>51</sup> The national Program on Ensuring Equal Rights and Opportunities for Women and Men to 2016 served as a road map for the donor community, but because an analogous program for 2017 onwards has not yet been approved, government priorities are not entirely clear.

It is also important to note that from the perspective of government officials, donor projects with gender themes can appear fragmented and not guided by a long-term vision of the expected results, which may make them unsure of how to best engage with development partners.

The specific topic of how USAID/Ukraine is integrating gender in its current portfolio was touched on during this country gender analysis, but it was not a primary focus and meetings were held with only a few selected implementing partners. Nevertheless, various stakeholders offered information relevant to the Mission. On the positive side, some interviewees stated that among development organizations working in Ukraine, USAID is known for its clear policy on gender and that it is the "most insistent" in its gender integration requirements. USAID/Ukraine is viewed as a leader in gender and development.

At the same time, implementers often have a very formal approach to gender integration, which results in the collection and reporting of sex-disaggregated data but limited gender analysis and missed opportunities to design specific activities that would address gender inequalities. Some examples were provided of implementers' failure to integrate gender throughout programs when they have multiple activities. There are some large programs that at one time have a strong gender component (some dedicated activities) and yet also have gender-blind activities (and even some that inadvertently perpetuate negative gender stereotypes). While this assessment is based on only a few interactions with implementers and information provided by USAID/Ukraine program managers, it seems that implementing partners are aware of and generally understand the Agency's gender integration requirements, although some may view "gender" as mainly concerning women's participation. Many, however, stop at the level of reporting sex-disaggregated data and do not have the technical backgrounds to analyze the reasons for or impacts of gender differences in the data

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<sup>50</sup> Ibid, 34.

<sup>51</sup> Ibid, 27.



they are collecting. However, in meetings for this analysis project, there also seems to be considerable interest on the part of implementers to increasing their capacity for gender analysis if such support were provided. It is not clear to what extent implementing partners across sectors share information about gender-related projects or outcomes.

The extent to which gender is integrated into any program or project seems to depend very much on the management, their knowledge of gender mainstreaming and their interest in the topic. Some implementers have been proactive and hired gender experts to work with them and offer recommendations on how to address gender in their work, but this practice is not uniform.

### III. CROSS-CUTTING FINDINGS

The following section highlights themes and topics that were raised in a number of different contexts and which will influence or be relevant to the USAID/Ukraine portfolio but which are not anticipated to be the focus of dedicated programs or projects.

#### ANTI-GENDER MOVEMENT AND THE INFLUENCE OF GENDER STEREOTYPES

As a country that has experienced transition from a Soviet past, Ukraine is undergoing a period of forming “new national narratives” in which “restoration of traditional gender relations is often presented as a way to revitalize the Ukrainian nation, to preserve the family, and to renew moral traditions that the Soviet system destroyed.”<sup>52</sup> A number of stakeholders who were interviewed for this gender analysis noted the significant influence of “anti-gender organizations” and also that political resistance to gender remains very strong despite the existence of law and policy that would suggest otherwise.

Anti-gender movements in Ukraine have developed along several lines. In 2010, under the former president, a deliberate campaign with its origins in Russian-based organizations, was directed toward numerous Ukrainian government officials (the president, prime minister, prosecutor general, members of parliament), calling for the abolishment of the Equal Rights law, among other demands.<sup>53</sup> In parallel, a number of church-organized NGOs were also established, but they differ from legitimate independent religious organizations. Many of these groups united under an umbrella organization, the Parental Committee, which has run a prolonged anti-gender campaign. These religious groups, joined also by far-right organizations, “aimed at the protection of traditional Christian values, the traditional family, and national identity,”<sup>54</sup> have been responsible for perpetuating an anti-gender equality discourse. Such organizations not only conduct visible demonstrations but continue to have influence over policy-makers. Examples were provided during research for this report of politicians who are personally supportive of gender equality initiatives in some contexts but who do not publicly endorse such initiatives because they are concerned about losing the backing of their constituents and voters.

The anti-gender movement in Ukraine has encountered a high level of resistance from civil society, especially women’s organizations. In fact, it was in response to such anti-gender rhetoric that

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<sup>52</sup> Tetyana Bureychak, “Studies on Men and Masculinities in Ukraine. Dynamics of (Under) Development,” *Baltic Worlds*, 1-2, 13 May 2015, 64-68.

<sup>53</sup> Oleva Suslova, “The Gender Dimension of Conflicts,” *Ukraine Analytica*, Issue (1)7, 2017, 23-28, 25

<sup>54</sup> Tetyana Bureychak, “Studies on Men and Masculinities in Ukraine. Dynamics of (Under) Development,” *Baltic Worlds*, 1-2, 13 May 2015, 64-68

women's and gender-oriented NGOs, as well as individual experts, founded the Gender Strategic Platform<sup>55</sup> in 2011 for the purpose of monitoring and evaluating the situation and making recommendations, not only for themselves but also to develop advocacy efforts aimed at state and international organizations. The success of the platform, in addition to many other efforts to resist the anti-gender movement, is the weakening of the campaign, which, in turn, helped Ukraine to avoid "falling into the abyss" during the events of 2014.<sup>56</sup>

The conflict in Ukraine has also intensified notions of "masculinity," and "femininity," stereotypes and gender roles.<sup>57</sup> Not only is war itself perceived as "male business," in which women should not play a role, but the situation of active conflict and ongoing security concerns may be used as a justification for not prioritizing issues that are perceived as "soft," such as addressing the inequalities that women face. While there has been official recognition of the particular harms that women suffer during conflict, many Ukrainian women have been galvanized by the eruption of conflict in Eastern Ukraine to take an active role and to serve in the combat zone. Service women note that "more women wanted to serve in the military than before, both as professionals and as volunteers,"<sup>58</sup> and this situation has led to both exposure of discriminatory practices in the Armed Forces and also to challenging stereotypes about women and their assigned gender roles in a much broader way. At the same time, the "patriarchal discourse regarding gender roles also imposes limits on men and masculinity, who must be necessarily patriotic and courageous."<sup>59</sup> Men are confronted with gender stereotypes that require them to be masculine, heterosexual, "heroic," defenders of the country. In addition, nationalist propaganda not only leaves little room for men who do not conform to this identity, but it "encourages the militarization of masculinities and legitimizes the use of force on and beyond the battlefield."<sup>60</sup>

The majority of respondents to this gender analysis referred to gender stereotypes about the "traditional" roles of women and men as being entrenched in Ukrainian society, despite law and policy that support gender equality. Many examples of the impact of stereotypes were provided: the difficulties that both young women and men face if they want to pursue non-traditional academic subjects or careers, attitudes that blame victims for gender-based violence, patriarchal "protective" legislation that limits women's employment opportunities, and notions that women are, first and foremost, responsible for childrearing and household management.

Perhaps the notion that women's primary role is in the family underlies all other gender stereotypes. Indeed, in a poll conducted in 2015, 80% of male respondents and 60% of females agreed that "a man must be the head of the family," with around half of women and men stating that a woman *could* be the head of the family.<sup>61</sup> Tasks such as childcare, cooking and housework are considered by a large number of women and men to be "female" responsibilities. For instance, 50% of male respondents and almost 70% of female respondents agreed that "women care for children" in their families, almost 80% stated that "women mainly do the cooking in the family," and more than 40%

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<sup>55</sup> Gender Strategic Platform: <https://www.facebook.com/genderstrategicplatform/>.

<sup>56</sup> Oleva Suslova, "The Gender Dimension of Conflicts," *Ukraine Analytica*, Issue (1)7, 2017, 23-28, 26.

<sup>57</sup> Tamara Martsenyuk, ed., *"Invisible Battalion": Women's Participation in ATO Military Operations*, (Kyiv: Ukrainian Women's Fund, 2016), 26.

<sup>58</sup> Irene Fellin, *The Role of Women and Gender Policies in Addressing the Military Conflict in Ukraine*, Istituto Affari Internazionali (IAI), Document 15, November 2015, 8.

<sup>59</sup> Tamara Martsenyuk, ed., *"Invisible Battalion": Women's Participation in ATO Military Operations*, (Kyiv: Ukrainian Women's Fund, 2016), 7.

<sup>60</sup> Giulia Pasquinelli, "Violent Conflict and Sexual Violence in Eastern Ukraine," Agency for Peacebuilding, 6 June 2016, accessible from: <http://www.peaceagency.org/en/2016/06/06/violent-conflict-and-sexual-violence-eastern-ukraine/>.

<sup>61</sup> See Analytical Center RATING Pro, Gender Roles and Stereotypes in Ukraine, 4 March 2016, accessible from: [http://ratingpro.org/en/research/gendernye\\_rol\\_i\\_stereotipy\\_v\\_ukraine.html?toindex=1](http://ratingpro.org/en/research/gendernye_rol_i_stereotipy_v_ukraine.html?toindex=1).

of males and 25% of females agreed with the idea that “women should not burden men with housework.”<sup>62</sup> There have been efforts to encourage men to take on a greater share of family responsibilities (such as the “Happiness in 4 Hands” information campaign organized by the UN Population Fund- UNFPA- and the Ministry of Social Policy<sup>63</sup>) as a way to instill a more cooperative model of family life. Ukraine has not supported any time use studies that would help to identify precisely the amount of time that women and men spend in formal work, household chores, childcare and in other activities. Labor statistics, however, indicate that women spend an average of 38 hours a week in formal employment and men work 40 hours,<sup>64</sup> suggesting that if women also take on a larger share of domestic chores, they have much less free time than men. Notions about the traditional roles of women and men continue to place restrictions on women in terms of the time they have available to devote to their career growth, starting a businesses, running for office, taking part in training or educational opportunities or participating in civic activism.

Gender stereotypes are perpetuated and disseminated through advertising and the media, in the educational system (for example, stereotyped depictions in text books and the courses that are offered to girls and boys), and within families, especially by the older generation. Gender experts acknowledge that combating stereotypes is a long-term task that requires multiple efforts, but they also note that women’s activism and resistance has helped to create an atmosphere where the public is less likely to accept stereotypes.

Gender stereotypes also underpin sexism, and in addition to stereotypes that are perpetuated by the media and in advertising, sexist language and attitudes are also prevalent among government officials (both openly and more hidden forms- for example, the way that female members of parliament are addressed). Positive developments, however, include several efforts to respond to sexism and negative gender stereotypes, taken on by civil society and professional organizations. For example, the online campaign against sexism in politics and the media “Povaha”<sup>65</sup> (Respect) is a platform on which activists and scholars can post articles and commentary about sexism and other topics related to gender.

## LGBTI ISSUES

Discrimination on the basis of sexual orientation and gender identity overlaps with discrimination on the grounds of sex- for both women and men. In Ukraine, anti-gender rhetoric has at times played on the homophobia that exists in society and included statements that gender equality reforms are “promoting homosexuality” and threatening the institution of the family. For conservative groups, “gender equality politics, feminism, and the visibility of the LGBT community” are seen as linked factors that are undermining national traditions.<sup>66</sup>

Ukrainian anti-discrimination legislation does not explicitly mention sexual orientation or gender identity as protected grounds, but activists maintain that the Constitution leaves open the possibility of including “other grounds.” In addition, the EU Accession Agreement requires the implementation of directives on prohibiting employment discrimination on the grounds of sexual orientation. In 2015, the Verkhovna Rada voted on the inclusion of such grounds in the Labor Code, but ultimately a new Labor Code is being drafted that does not list gender identity or sexual

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<sup>62</sup> Ibid.

<sup>63</sup> See the campaign website: <http://zags.org.ua>.

<sup>64</sup> State Statistics Service of Ukraine, *Economic Activity of Population in Ukraine 2015*, (Kyiv, 2016), 87.

<sup>65</sup> “Povaha” Campaign Against Sexism: <http://povaha.org.ua>

<sup>66</sup> Tamara Martsenyuk, ed., *“Invisible Battalion”: Women’s Participation in ATO Military Operations*, (Kyiv: Ukrainian Women’s Fund, 2016), 26.

orientation as protected grounds.<sup>67</sup> The Family Code only recognizes marital rights for heterosexual couples, and the Criminal Code does not contain provisions on hate crimes.

While the state does not collect or analyze information about cases of discrimination based on sexual orientation or gender identity, NGOs have documented widespread patterns of discrimination that include homophobic/transphobic violence against LGBTI activists (by private citizens, for example, representing right wing nationalist parties, supporters of the Orthodox Church, representatives of para-military groups or gangs linked to football clubs<sup>68</sup>) as well as law enforcement agents. There are many examples of government officials making public and discriminatory and stigmatizing statements about LGBTI persons. However, civil society organizations that protect the rights of the LGBTI community have also had a positive impact toward recognitions of their rights. NGOs effectively worked with the Ministry of Health (to revise standard medical forms, such as sick leave certificates, to reflect a sexual identity other than either “female” or “male,” for example) and with police in several regions.

Other forms of discrimination that LGBTI persons face include denials of access to housing and bank loans, employment discrimination and harassment, bullying in educational institutions, stigmatization by health care professionals and lack of access to appropriate reproductive health services (especially for transgender individuals). Activists have drawn attention to the particularly dire situation for LGBTI people in the occupied territories of Ukraine- Crimea and Donbas- in which social activism and even openness about one’s sexual orientation or gender identity is dangerous.<sup>69</sup>

## MINORITY AND VULNERABLE WOMEN

Ukraine has a diverse population, comprising more than 130 ethnic groups in the last population census (conducted in 2001). Ukrainians made up almost 80% of the population, followed by Russians (17%) as well as Belarusians, Moldovans, Crimean Tatars, Bulgarians, Poles, Armenians, Greeks (Hellenes), Roma and others.<sup>70</sup> The next population census is planned for 2020 which should clarify the current demographic situation and may shed light on specific populations of minority women and men. The country is not only multi-ethnic but also multi-faith, with 74% of the population identifying as Christian Orthodox and sizable populations of Catholics, Muslims, Jews and other religious groups.

The diversity of the population means that it can be difficult to characterize the situation for women or for men in Ukraine, as minority status can have an impact on access to opportunities and resources as well as experiences of discrimination. For instance, Ukrainians from ethnic and religious minority groups participated in the Euromaidan demonstrations alongside others under the pro-democracy banner. More recently, concern has also been expressed about the persecution of religious minorities and anti-Semitic attacks perpetrated by Russian-backed separatists.<sup>71</sup>

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<sup>67</sup> Insight, *Shadow Report on the Situation of Lesbian, Bisexual Women, Trans People and Intersex People in Ukraine*, (Kyiv, 2017), 6.

<sup>68</sup> Amnesty International, *Nothing to be Proud of. Discrimination against LGBTI People in Ukraine*, (London, 2013), 5.

<sup>69</sup> Andrii Kravchuk and Oleksandr Zinchenkov, *From Despair to Hope. LGBT situation in Ukraine in 2014*, (Kyiv: LGBT Human Rights Nash Mir Center, 2015), 27.

<sup>70</sup> Institute for Demography and Social Studies NAS of Ukraine and State Statistics Service of Ukraine, *First All-National Population Census: historical, methodological, social, economic, ethnic aspects*, (Kyiv, 2004), 99.

<sup>71</sup> See, e.g., U.S. Department of State, *International Religious Freedom Report for 2015*, Ukraine, (Washington, DC, 2016), accessible from: <https://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256253#wrapper>

From the late 1980's to early 2000's, the population of **Crimean Tatars** in Ukraine increased five times as people were repatriated from other countries in the Soviet Union and settled mainly in rural parts of Ukraine, especially Crimea, Kherson and Donetsk oblasts.<sup>72</sup> In the 2001 census, the population of Crimean Tatars was estimated to be around 240,000 people (or 12% of the total population). Crimean Tatars are a Turkic ethnic group, indigenous to the Crimean peninsula, who follow Islam and have a distinct language, culture and traditions. The Tatar population has been particularly affected by the annexation of Crimea and conflict in Eastern Ukraine. Ukraine's **Greek** population (which numbered around 91,000 in 2001) has historical roots in Crimea but today is largely concentrated in Donetsk oblast, especially Mariupol and other villages along the "buffer zone." Ukraine has one of the largest **Armenian** diaspora communities in the world (just under 100,000 according to the 2001 census), in large part due to both instability in the Caucasus as well as the attractiveness of Ukraine for labor migrants. The Armenian community has ancient ties to Crimea, but those who immigrated recently to Ukraine have tended to settle in the East.

While women in the general population of Ukraine face differing forms of discrimination, some minority groups are considered particularly vulnerable, based on the intersection of their sex with their ethnicity, age, disability, status as a displaced person, sexual orientation or gender identity. The following groups face human rights abuses, intolerance and particularly severe discrimination in access to employment, health care, education and other basic services.

Under the 2001 census, 47,917 people declared themselves to be Roma, but unofficial sources estimate the population to be much higher (between 120,000 and 400,000 persons,<sup>73</sup> around half of whom are female). **Romani women** in Ukraine face multiple discrimination which pushes them to "the margins of the society."<sup>74</sup> In 2013, the government adopted the Strategy on the Protection and Integration of the Roma National Minority into Ukrainian Society until 2020 and a National Action Plan on Implementation of the Strategy. The Cabinet of Ministers tasked the regional administrations with developing regional action plans with indicators and budget allocations that reflect the goals of the national strategy and plan. The national policy on Roma people does not include any specific provisions on Romani women and girls, but it does address topics of education, employment, housing, health and social services and civil registration- all of which are areas in which females face particular disadvantages. The Strategy has been criticized for having been developed without adequate participation of Roma community members and therefore "the objectives and measures therein are very broad and do not target the specific needs of Roma."<sup>75</sup> Monitoring indicates that most of the activities to implement the Action Plan have been carried out by Roma NGOs with support from international donors,<sup>76</sup> but there are also a number of positive examples of local authorities engaging in consultations with Roma-led civil society organizations. The concerns of Romani people, including women's issues, have gained greater visibility in the context of nation-wide reform.

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<sup>72</sup> Institute for Demography and Social Studies NAS of Ukraine and State Statistics Service of Ukraine, *First All-National Population Census: historical, methodological, social, economic, ethnic aspects*, (Kyiv, 2004), 108.

<sup>73</sup> Orysia Lutsevych, *Evaluation of the Council of Europe and European Union Joint Programme 'Romed,' Country Findings Ukraine*, (2016), 2.

<sup>74</sup> European Roma Rights Centre and the International Charitable Organization Roma Women Fund "Chiricli," *Written Comments Concerning Ukraine for Consideration by the Committee on the Elimination of All Forms of Discrimination against Women*, (Kyiv and Budapest, 2016), 3.

<sup>75</sup> Organization for Security and Cooperation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR), *Situation Assessment on the Roma in Ukraine and the Impact of the Current Crisis*, (Warsaw, 2014), 14.

<sup>76</sup> Zemfira Kondur, International Charitable Organization "Roma women fund "Chiricli," *Statement on behalf of the Coalition of Roma NGOs in Ukraine "Strategy 2020,"* Presentation at OSCE Human Dimension Implementation Meeting, October 2015, Warsaw, Poland.

**Elderly women** have been identified as especially at risk for poverty and social isolation. Older women are vulnerable to becoming victims of domestic violence and other crimes, in comparison to older men. Women represent 65% of people over age 60 in Ukraine, and 85% of older people living alone.<sup>77</sup>

Discrimination on the basis of disability is prohibited in Ukraine,<sup>78</sup> yet people with disabilities face a great many hurdles to enjoying their rights on an equal basis with those who do not have disabilities. In 2011, 2.7 million persons were considered to have disabilities (around six percent of the total population of Ukraine).<sup>79</sup> No sex-disaggregated data were found for persons with disabilities, but typically there are more males with disabilities than females. In 2012 it was reported that 303 900 women with disabilities were employed in Ukraine,<sup>80</sup> and 67 408 females received an official classification of disabled in 2013<sup>81</sup> (no analogous information for males was found). **Women with disabilities** face particular disadvantages and challenges. Specific issues that have been highlighted by disabled persons' organizations (DPOs) include discriminatory treatment in accessing reproductive health and family planning services, gender-based violence (and specifically the absence of data about women with disabilities among victims and underdeveloped services and outreach to this group), and an absence of representation in legislative and executive authorities and decision-making positions.<sup>82</sup> The state has made progress in developing policy to protect the rights of persons with disabilities, but there are still gaps in how the intersection of disability and gender are addressed. The National Action Plan to implement the Convention on the Rights of Disabled Persons to 2020 includes a section on ensuring that women with disabilities are not subject to unequal treatment that reiterates the legislative acts on preventing discrimination but does not articulate any actions to be taken to ensure that women with disabilities can realize their rights in all areas of life. Women with disabilities were not mentioned as a target group in the former state programs for equal rights and opportunities for women and men. The most significant developments have been made in improving the access of women with disabilities to reproductive health services. The draft Program on Reproductive and Sexual Health in Ukraine for 2017-2021 explicitly mentions the rights of people with disabilities (representatives of the USAID Healthy Women of Ukraine Program [2011-2016] were among experts involved in working groups to develop the draft program. The program itself conducted trainings for health providers to improve the quality of services offered to women with disabilities).

The burden that women undertake in caring for children and other family members with disabilities has not received much state attention, and there are very limited professional psychological counseling centers either for women with disabilities and children or for families of girls with a disability. This situation creates “barriers for integration of women and girls with disabilities into society.”<sup>83</sup>

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<sup>77</sup> See generally, Ukrainian Centre For Social Reforms/UNFPA, *Situation of Older Women in Ukraine. Analytical Report*, (Kyiv, 2014).

<sup>78</sup> In addition to national legislation, Ukraine has undertaken international obligations when it ratified the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol (2010).

<sup>79</sup> Government of Ukraine, *Consideration of reports submitted by States parties under article 35 of the Convention on the Rights of Persons with Disabilities*, 2014, para. 40.

<sup>80</sup> Ibid, para. 90.

<sup>81</sup> State Statistics Service of Ukraine, *Діти, жінки та сім'я в Україні* [Children, Females and Family in Ukraine], (Kyiv, 2014), 169.

<sup>82</sup> Ukrainian Public Association “National Assembly of People with Disabilities” et al., *The “Lost” Rights...An alternative report by public organizations on compliance with the UN Convention on the Rights of Persons with Disabilities*, (Kyiv, 2012), paras. 42-46.

<sup>83</sup> Ibid. para. 47.

Stigma and discrimination against **lesbians, bisexual women, trans people and intersex** people (LBTI), in particular, has been documented by NGOs in Ukraine, but there has been no state monitoring of human rights violations. LBTI women are considered especially vulnerable due to their “lack of legal visibility, absence of non-discrimination provisions and stigma,” and are subjected to hate speech and hate crimes (as well as gender-based violence), and discrimination in a number of contexts (education, employment, housing, freedom of movement, and reproductive and family life).<sup>84</sup>

Over the past several years, conflict in the territory of Ukraine has produced a new group of vulnerable people, both those who are affected by the conflict and in need of assistance as well as those who have been displaced from their homes. The topic of how the vulnerabilities of **IDPs** (the majority of whom are women) intersect with gender inequalities is discussed in a later section of this report on humanitarian assistance.

## GENDER-BASED VIOLENCE

Gender-based violence (GBV) refers to violence that is “directed at an individual based on his or her biological sex, gender identity, or perceived adherence to socially defined norms of masculinity and femininity. It includes physical, sexual, and psychological abuse; threats; coercion; arbitrary deprivation of liberty; and economic deprivation, whether occurring in public or private life.”<sup>85</sup> During expert meetings for this analysis, GBV was identified as one of the most significant constraints to gender equality and manifestations of discrimination in Ukraine. Domestic violence, sexual violence and trafficking in persons are all forms of GBV that disproportionately victimize women and girls, and which experts say are not being effectively addressed by the state. Incidents of sexual and gender-based violence are increasing as a result of the conflict, both directly related to the hostilities and as consequence of destabilization and trauma.

The government has taken steps to develop a more comprehensive approach to combating some forms of GBV, as evidenced by legislation and the Concept of the National Program on Prevention and Combating Domestic Violence for 2017-2020 and the State Target Program to Combat Trafficking to 2020. Still, the prevalence of GBV remains high, although the absence of data on the various form of violence that are also disaggregated by characteristics of the victim and perpetrator means that the most prevalent forms of GBV and their characteristics are obscured. Existing data on GBV can be found in a number of different sources (administrative statistics of the Ministry of Social Policy, Ministry of Internal Affairs and courts as well as statistics collected by NGOs that assist victims of GBV), but are not compiled or comparable.

According to a survey of over 1 600 female respondents aged 15-49, one in five women (19%) have experienced physical violence since the age of 15, and of these, 16% have experienced physical violence perpetrated by a husband or other relative (**domestic violence**).<sup>86</sup> The large majority of victims of domestic violence are women, and most perpetrators are their husbands (current or former). Administrative data, based on number of complaints made to law enforcement agencies, indicates that 1 in 145 adult women have experienced domestic violence in Ukraine, but NGOs note that domestic violence is underreported and official figures represent only the tip of the iceberg. According to the NGO La Strada Ukraine (which runs a national toll-free telephone hotline dedicated to the prevention of domestic violence, trafficking and gender discrimination and provides direct services to survivors), the official number of complaints represents only 10%-15%

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<sup>84</sup> See generally, Insight, *Shadow Report on the Situation of Lesbian, Bisexual Women, Trans People and Intersex People in Ukraine*, (Kyiv, 2017).

<sup>85</sup> The United States Strategy to Prevent and Respond to Gender-Based Violence Globally, 2012.

<sup>86</sup> Inna Volosevych et al. *The Prevalence of Violence Against Women and Girls*, (Kyiv: UNFPA, 2014),



of the actual total number.<sup>87</sup> La Strada Ukraine reports that of 38 000 calls made to their hotline in 2016, 90% concerned domestic violence specifically.

There are several weaknesses in the state response to domestic violence, and indeed other forms of GBV, beginning with the legal framework. There is no definition of GBV in Ukrainian legislation. It was expected that Ukraine would ratify the Istanbul Convention in 2016 and adopt a new stand-alone law on domestic violence, but in November the Verkhovna Rada voted to send the draft law back for re-consideration, failing to ratify the Convention which would have paved the way for a more comprehensive approach to combating violence against women. One of the key justifications for postponing the ratification and rejection of the draft law was the position of several members of parliament that the words “gender” and “sexual orientation” in the document would “ruin ‘Ukrainian identity’ and ‘basics of Christianity,’” – a view that conforms to that of the All-Ukrainian Church Council that the Convention may be used as “a tool to promote new “gender roles” and same-sex relationships in Ukraine.”<sup>88</sup> Gender activists point out that the Istanbul Convention would provide essential protections for the human rights of victims of violence, including not only legal protections but also expanded services such as shelters and hotlines. The failure to ratify the Convention represents not only a step back in terms of international commitments but also suggests that there is a certain ambivalence among policy-makers about the importance of combating GBV.

The draft Law on Preventing and Combating Domestic Violence has a wider scope than the previous law on the same issue, and it would also expand the list of government institutions responsible for preventing and combating domestic violence. NGO experts who work on the issue of GBV point to serious flaws in the draft domestic violence law in that it does not take a victim-centered approach (but focuses on strengthening government coordination and communication and expanding state agencies) and it fails to adequately address the punishment of perpetrators. Some NGOs are not supporting the draft in its present form. Thus, while there have been demonstrations in Ukraine demanding ratification of the Istanbul Convention as recently as March 2017, activists are at the same time calling for the draft domestic violence law to be revised.

Services and support for victims are inadequate to serve the needs of those who have suffered from GBV in Ukraine. Services are available through both state-supported and NGO-based centers. There are currently 30 state-supported Centers for Social and Psychological Assistance that offer shelter services, but these are organizations that serve people in a number of difficult life situations, including survivors of domestic violence. Some of these centers are also being used to house IDPs and, thus, the places available for GBV victims has become even limited and their security cannot be ensured. In addition, the state supports just under 700 Centers for Social Assistance for Youth, Children and Families, but these are not specialized institutions and most have only minimal staff that do not include psychologists or lawyers (social workers handle cases of domestic violence). Employees of municipal centers that provide services for women survivors of violence have limited opportunities for training; in every sixth center there were specialists who received no training during 2013-2014. In comparison, NGO-operated centers have well-trained staff, which “demonstrates the lack of coordinated actions between local authorities and [the] public sector.”<sup>89</sup>

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<sup>87</sup> Equal Rights Trust, *Shadow Report Submitted to the 66<sup>th</sup> Session of the Committee on the Elimination of All Forms of Discrimination Against Women related to the Eighth Periodic Report of Ukraine*, (Kyiv, 2017), 4.

<sup>88</sup> Ukraine Crisis Media Centre, “Why ratification of the Istanbul Convention, a tool to prevent domestic violence, is being blocked?,” 10 March 2017, accessible from: <http://uacrisis.org/53548-nasylstvo>.

<sup>89</sup> Government of Ukraine, *Eighth periodic report of States parties to the CEDAW Committee*, 2015, CEDAW/C/UKR/8, para. 137.

There are five shelters in Ukraine that are specifically organized for the assistance of victims of domestic violence; these are NGO-based shelters. The Ukrainian law from 2001 on Prevention of Violence in the Family, however, requires the establishment of shelters in all major cities, and international good practices recommend one crisis center per 50 000 people and, at a minimum, one place in a shelter should be provided for each 10 000 people.<sup>90</sup> In Ukraine, there are several oblasts without a single shelter. It is estimated that more than 20% of survivors of domestic violence are in need of temporary shelter and sustained psycho-social support.<sup>91</sup>

Access to shelters can be especially difficult for victims from minority groups, including Romani women, LGBTI women and women from rural areas, due to lack of specialized assistance and the distance to cities where service-providers are located. Health and age limitations imposed by the state-run centers also present obstacles to some victims of violence. Many do not accept women with serious health issues (for example if they are HIV positive, have tuberculosis, psychological disorders or are addicted to drugs) and every fourth state-run center “limits the age of clients to 18-35 years.”<sup>92</sup> There are no specialized centers for elderly women or for women who have disabilities who are victims of domestic violence. Services, assistance and even outreach specifically for male victims of gender-based violence are essentially non-existent.

Ukraine is a source, transit, and destination country for men, women, and children subjected **human trafficking** in the forms of forced labor and sexual exploitation. In 2016, the International Organization for Migration (IOM) Mission in Ukraine identified 1 151 victims of trafficking (60% of whom were male and 40% were female; 94% of whom had been in situations of forced labor), which represented a 56% increase from the previous year.<sup>93</sup> This also represents a dynamic trend in which previously almost two-thirds of trafficking victims assisted by IOM Ukraine were women, with a steady increase in the number of male victims (to just over half in 2013). It is unclear whether this change is due to the fact that men are increasingly becoming victims of trafficking or the organization has improved its outreach to males. It is also possible that the success of Ukrainian law enforcement in dismantling networks involved in trafficking of women for sexual exploitation<sup>94</sup>, in parallel with efforts to educate women about the potential risks for trafficking, have contributed to preventing this crime, while trafficking for labor exploitation (both within and outside of Ukraine) has not been prevented as effectively. A small-scale study conducted by IOM suggests that several preconditions that are likely to push men into taking risky jobs where they may be trafficked exist in Ukraine, namely a high level of unemployment due to the closure of industries where men once worked and a large pool of specialists who face competition for few jobs.<sup>95</sup>

The government of Ukraine has taken several steps to improve the response to human trafficking (in the form of laws and policy, improvements to prosecution and to the provision of state services and the development of a national referral mechanism). The U.S. Department of State considers Ukraine to have made significant efforts to meet the minimum standards for the elimination of

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<sup>90</sup> United Nations Secretary General, UNiTE to End Violence Against Women Campaign, (New York, 2010), 2.

<sup>91</sup> UNFPA, “Opening of the 1st shelter for GBV survivors in Kharkiv,” 2 December 2016, accessible from: <http://www.unfpa.org.ua/eng/news/686.html>.

<sup>92</sup> Government of Ukraine, *Eighth periodic report of States parties to the CEDAW Committee*, 2015, CEDAW/C/UKR/8, para. 131.

<sup>93</sup> International Organization for Migration (IOM), *IOM Ukraine Counter-Trafficking Programme At-A-Glance*, accessible from: <https://www.iom.ch/infographics/counter-trafficking-regional-and-global-statistics-glance>.

<sup>94</sup> Group of Experts on Action against Trafficking in Human Beings (GRETA), *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Ukraine*, (Strasbourg, 2014), para 90.

<sup>95</sup> Nataliia Gusak, *Results of the Study on Trafficking in Men for Labour Exploitation: Ukraine, the Republic of Belarus, the Republic of Moldova*, (Kyiv: International Organization for Migration Mission in Ukraine, 2016).

trafficking, but also to have failed to meet them fully due to such factors as the declining conviction rate, reliance on victims to self-report and to provide testimony and lack of programs to reduce demand for commercial sex acts or forced labor.<sup>96</sup> A critical barrier for trafficked men to receive assistance is their lack of information about existing services.

Several forms of GBV are closely linked to the conflict situation, such as domestic violence, sexual violence and human trafficking. Each of these forms of violence has its own characteristics and impacts and therefore requires a specialized response, but comprehensive services for survivors of violence have not been made available in the country as a whole and are almost absent in conflict-affected areas. Furthermore, failures to address persistent GBV in these areas prevent survivors from accessing justice for the violations they have experienced. The topic of GBV and its links to on-going conflict are covered in greater detail in a later section of this report on humanitarian assistance.

## IV. SECTOR FINDINGS

### DEMOCRACY, HUMAN RIGHTS AND GOVERNANCE

Ukraine faces significant obstacles in the transition to a functional and representational democracy that fully respects the human rights of those living in its territory. Despite several changes of government and an administration that is currently committed to reform and reducing corruption, the country is confronted by challenges in the areas of political consensus, inclusion, lack of transparency and political accountability, weak rule of law and limited government responsiveness and effectiveness.<sup>97</sup> These problems negatively affect the lives of both women and men, but within the larger topic of democratic reform, there are important differences in the opportunities that women and men have to engage in democratic processes and the extent to which their specific needs and priorities are included in governance.

#### *Rule of law and access to justice*

Improvements in the rule of law in Ukraine are taking the form of legal reform, strengthening the independence and integrity of the judiciary as well as reform of law enforcement institutions. In parallel with improving the functioning of the legal system as a whole, there is a need to increase citizen access to legal remedies. The CEDAW Committee has found that there are still significant barriers to women accessing justice in Ukraine which result in “impunity for perpetrators of acts of discrimination against women, including sexual and gender based violence.”<sup>98</sup>

Women’s access to justice is hampered by a number of intersecting problems, both within the justice system itself and resulting from socio-economic and cultural factors, such as women’s lower economic status and lack of knowledge about their rights. Ukraine has a law on the provision of free **legal aid**, but it is gender blind, and women are not eligible for such services in cases of

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<sup>96</sup> U.S. Department of State, *Trafficking in Persons Report*, (Washington, DC, 2016), 381.

<sup>97</sup> See generally, Tetra Tech ARD, *Democracy, Human Rights, and Governance Assessment of Ukraine. Final Report*, (2015).

<sup>98</sup> Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ukraine, 9 March 2017, CEDAW/C/UKR/CO/8, para. 18.

domestic violence, human trafficking or related to the division of property after a divorce,<sup>99</sup> which are some of the most common rights violations that women experience. A number of NGOs provide legal advice and representation to women but not on a consistent basis. Analysis of the consultations provided by the Virtual Legal Service, created by the Women's Consortium of Ukraine on 2014, indicated that women most often sought advice related to labor and family law.<sup>100</sup> Other NGOs, such as La Strada Ukraine, provide specialized legal assistance to survivors of gender-based violence. A positive development from 2017 is a law that extends free secondary legal aid to IDPs and people who have registered for IDP status.<sup>101</sup>

Women's **low level of awareness** of their human rights and the recourse they have if their rights are violated is significant barrier to justice. Research indicates that people have greater knowledge of laws that prohibit human trafficking (45% of respondents to a survey had knowledge of such a law) and domestic violence (knowledge of laws prohibiting physical violence- 39%, sexual violence- 36%, psychological violence- 29% and economic violence- 23%) than they have about laws that prohibit discrimination in the work place, including the prohibition on sexual harassment (33% of respondents), the obligation to create conditions to combine family obligations with professional duties (22%) or laws that prohibit job offers on the basis of sex and unequal pay (14% and 15% respectively).<sup>102</sup> Because they are not aware of their rights, many women do not turn to the court for protection and thus there is limited jurisprudence on discrimination in Ukraine. As an illustration, in a ten year period since the Equal Rights law was passed in Ukraine, there were only 115 judgments referring to this law, and moreover, the vast majority of the cases were initiated by state bodies and not by the victims of such discrimination.<sup>103</sup>

Other barriers to justice concern the fact that many Ukrainian laws are gender neutral, and there are **inadequate remedies** for rights violations, as is the case with discrimination on the basis of sex. Legal understanding of how to prosecute and decide discrimination cases is also low among attorneys, prosecutors and judges. While there have been a number of training and technical assistance programs to build the capacity of the judiciary to facilitate women's access to justice (for example, courses on domestic violence and the development of manuals on gender equality supported by the National School of Judges), there is not yet a unified systematized training program. A survey of sitting judges found that most do not recognize discrimination in legal cases, or as occurring in Ukraine generally, and they have very limited awareness of Ukraine's international obligations on gender equality.<sup>104</sup>

Women's are well-represented in the judiciary, and of over 7 000 professional judges, 49.7% are female. However, the justice system also exhibits patterns of vertical segregation, with women almost absent from the top decision-making positions. There are no women heads of courts in Ukraine, and only one female judge (of 18) on the Constitutional Court.<sup>105</sup> Among all prosecutors in Ukraine, 31% are women (ranging from 34% at the first instance to 27% at the highest instance), but women represent only four percent of heads of public prosecution offices (only at the first

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<sup>99</sup> Olena Uvarova, "Ukraine National Report," in *Barriers, Remedies and Good Practices for Women's Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 134.

<sup>100</sup> Ibid.

<sup>101</sup> Law on the High Council of Justice, No. 7-8, 2017.

<sup>102</sup> The Survey was conducted by the Ministry of Social Policy. Ibid, 138-139.

<sup>103</sup> Ibid, 132.

<sup>104</sup> See generally, Olena Uvarova, "Ukraine National Report," in *Barriers, Remedies and Good Practices for Women's Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016).

<sup>105</sup> Ibid, 141, 142.

instance).<sup>106</sup> There are no quotas or affirmative actions to promote women in the prosecutor's office or the judiciary. Women's limited presence in positions of authority has an impact on the gender-sensitivity of the justice sector as a whole, but it is also important that attention is focused not only on increasing the number of women in positions of authority but also on eliminating gender stereotyping and judicial bias in the courtroom, which can be perpetuated by female or males judges.

**Corruption** in the judicial system also plays a role in preventing women from accessing justice, especially in divorce cases concerning the division of property, alimony or visitation rights, as women have fewer financial resources or other means to influence a judge. Additionally, the state has not investigated, prosecuted or convicted government employees complicit in human trafficking cases, despite reports of government corruption that has facilitated trafficking.<sup>107</sup>

Legal experts point out that justice sector actors frequently understand "women's access to justice" as only referring to violence against women and, therefore legal issues such as sexual harassment, family law or discrimination in the workplace are not often viewed as areas where change in the law and judicial practice are needed.

### *Leadership and women's political participation*

The political sphere is one in which there have been positive, yet also uneven, progress in women's political participation and access to decision-making positions in government. A key development was the introduction of gender quotas into Ukrainian election law beginning in 2013, which stipulate that party lists must have a minimal representation of 30% of either sex (meaning, that there can be no greater than a 30%-70% division between male and female candidates).<sup>108</sup>

Looking first at representation in national office, the proportion of female members of the Verkhovna Rada of Ukraine has steadily but incrementally increased with each convocation, yet women's representation among members of parliament (MPs) remains considerably lower than the target included under the MDGS for Ukraine (no less than a 30%-70% division) and the critical mass considered necessary to have influence over decision-making (30%). See Figure 2, in which the first through eighth convocations of the Verkhovna Rada are represented by years. As of January 2017, there were 52 female MPs of a total of 423 (12.3%).<sup>109</sup> Note that the 2014 parliamentary elections were the first held after the introduction of the gender quota.

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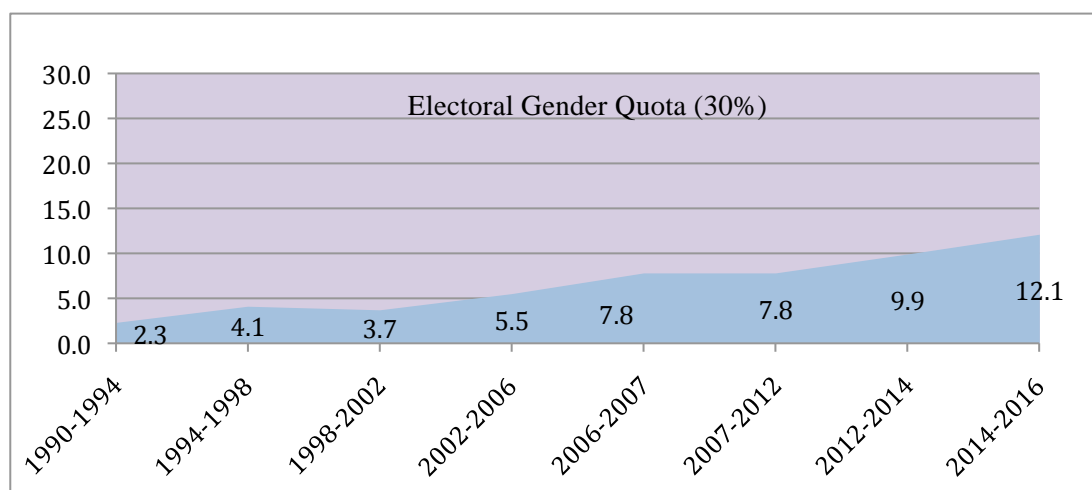
<sup>106</sup> All data from 2014. European Commission for the Efficiency of Justice (CEPEJ), *European judicial systems. Efficiency and quality of justice*, CEPEJ STUDIES No. 23, 2016, 136, 104.

<sup>107</sup> U.S. Department of State, *Trafficking in Persons Report*, (Washington, DC, 2016), 382

<sup>108</sup> See Annex C for a list of the legal acts that support gender quotas in Ukrainian elections.

<sup>109</sup> Data from the Inter-Parliamentary Union, Women in national parliaments database: <http://www.ipu.org/wmn-e/classif.htm>.

**Figure 2. Proportion Female Members of the Verkhovna Rada (%), by Year, Compared with Electoral Quota**



Source: All-Ukrainian NGO Committee of Voters of Ukraine, “CVU: The Greatest Number of Women MPs in the History of Ukraine,” accessible from: <http://cvu.org.ua/eng/>.

The failure to achieve 30% representation in the Verkhovna Rada is attributed to a number of factors, most significantly to the failure of most political parties to adhere to the quota when creating candidate lists, due to lack of awareness of the law or deliberate unwillingness to apply its provisions. During the 2014 elections, only nine of the 29 registered parties applied the quota; others failed to reach 30% or placed women at the end of party lists which meant they would still be denied seats even if the party was successful.

Women had the greatest success gaining seats under the proportional (or party list) system—accounting for the large majority of those elected in 2014, as compared to the single-member constituencies (the “first-past-the-post” system) that led to the election of only two of the total of 47 female MPs (both in Lviv oblast).<sup>110</sup> Election observers noted that in some single-member constituencies, party lists included no female candidates. Women face particularly strong competition for seats in single-member constituencies.

Because the quota provisions in the laws are declarative in nature and include no sanctions for failure to nominate a minimum of 30% female candidates, the Central Election Commission (CEC) still registered parties that did not conform to the requirement. The position of the CEC— that violations of the quota were not grounds to deny registration— has been litigated, and at least one court has ruled that the CEC actions constituted a breach of the principle of equal suffrage.<sup>111</sup>

Women’s representation in local government office, specifically local councils, provides a clear illustration of the “glass ceiling” effect in politics. Women represent about half of village council members, but their level of representation decreases with the level of office to only 12% on oblast-level councils. See Figure 3, below. After the 2015 local elections, women’s representation on city councils of regional centers increased to 18% and on oblast councils to 15%.<sup>112</sup> Still, the 30% threshold for women’s representation was met in only one city council and in no oblast councils

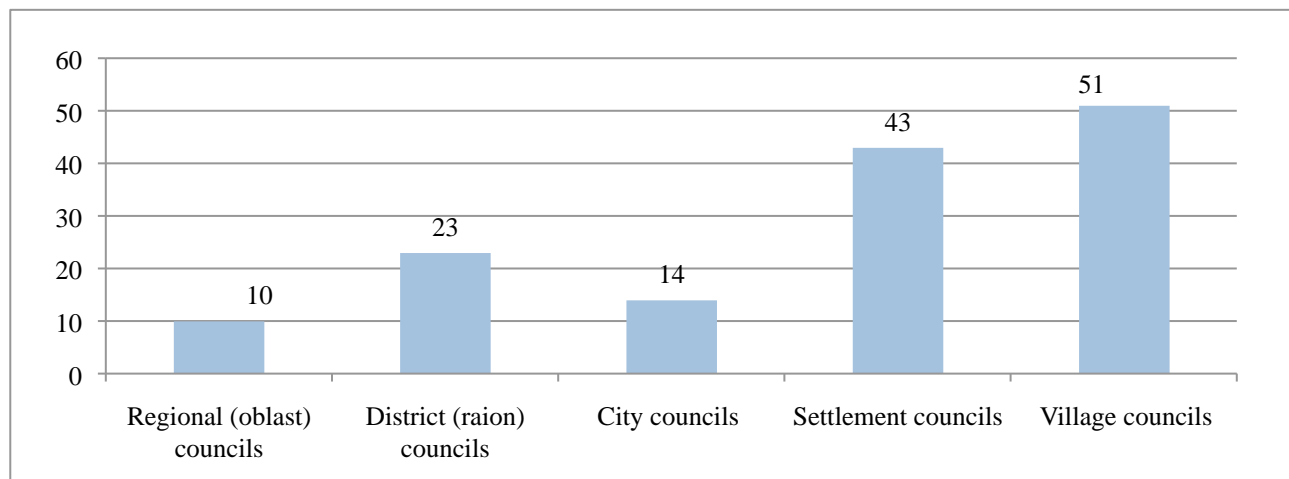
<sup>110</sup> All-Ukrainian non-governmental organization Committee of Voters of Ukraine, “CVU: The Greatest Number of Women MPs in the History of Ukraine.”

<sup>111</sup> Olena Uvarova, “Ukraine National Report,” *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 133.

<sup>112</sup> United Nations Country Team Ukraine, *Submission to the Committee on the Elimination of Discrimination against Women*, (Kyiv, 2016), 5.

(despite the fact that women represented close to 30% of candidates for elections at both levels). Almost 15% of mayoral candidates were female, but there were no women voted in as mayors (either to Kyiv or the 18 oblast centers) in 2015.<sup>113</sup>

**Figure 3. Women's Representation on Councils at Differing Levels (%), (2014)**



Source: Maria Alekseyenko et al., *Гендерний моніторинг парламентських виборів 2014 року* [Gender monitoring of the 2014 parliamentary elections], (Kyiv: Women's Consortium of Ukraine, 2014), 42.

On one hand, it appears encouraging that women are well-represented at the most local council level, as this may be an important “training ground” for their future political careers. However, the low numbers of women at the national and oblast level may very well be related to the fact that they face more resistance from men who want to hold power in the offices that exercise the greatest authority and decision-making over valuable resources and commodities.

The most-commonly cited barriers to women's access to political office include the lack of political party support (which encompasses lack of gender sensitivity and the failure to promote women to leadership positions within the party), women's own lack of awareness of their right to be represented in parities on an equal basis with men (73% of polled women are apparently not aware of this right<sup>114</sup>), women's lack of political networks and preparedness for leadership, as well as the fact that domestic responsibilities leave women little time for campaigning. It was noted by an interviewee who works on the issue of women's political participation, that women in parties, much more often than men, express doubt about their own abilities. This may very well be a reaction to widespread stereotypes about politics not being “appropriate” for women, and that men are “better leaders,” as well as sexism that is prevalent in the media and among politicians. In fact, media monitoring indicates that journalists hardly cover female candidates during elections, and there is little reporting on the work of female politicians.<sup>115</sup> The main factors that prevent rural women from taking part in civic activity to resolve local problems (which includes but is not limited to

<sup>113</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 16.

<sup>114</sup> Government of Ukraine, *Eighth periodic report of States parties to the CEDAW Committee*, 2015, CEDAW/C/UKR/8, para. 209.

<sup>115</sup> Hromadske Radio, “«Парад костюмів». 70% публікацій у медіа присвячені чоловікам: Оксана Романюк [“Parade of suits.” 70% of publications in the media are devoted men: Oksana Romaniuk],” interview by Larisa Denisenko and Iryna Slavinska, 2 September 2015, accessible from: <https://hromadskeradio.org/gromadska-hvylya/70-publikacyi-u-media-prysvyacheni-cholovikam-oksana-romanyuk>.



political activities) are their lack of confidence in their own abilities, the sense that their participation would not have an impact and their lack of free time to engage in village councils.<sup>116</sup>

Corruption and lack of transparency in campaign financing also impact female candidates. Women are disadvantaged because they have fewer financial resources of their own to use for political campaigning and they also tend not to have the backing of wealthy contributors (many senior politicians are “aligned with male oligarchs” which allows them to access large campaign funds<sup>117</sup>). Women may be especially deterred from taking part in political campaigns if the system is perceived to be unfair and non-transparent.

Despite the low numbers of women elected to the Verkhovna Rada and local councils, stakeholders who participated in this gender analysis drew attention to several positive trends. While the goal of the electoral quotas was not achieved, their existence spurred a number of parties to review their internal policies on gender equality and also to improve their own capacities to engage with women during campaigns. Several parties are conducting gender audits, and others have formed “women’s wings” (which can take the form of a formal or informal program or council within the party).

The female MPs of the current parliament convocation may be small in number but they have demonstrated their commitment to strengthening the role of women. One interviewee noted that several of the female MPs have been successful in balancing their political careers with their domestic lives, and their visibility has helped to dispel a negative stereotype that female politicians are only those who are “unsuccessful in family life.” A Roma rights NGO reported that after having worked with Romani women for several years, a group of five women stood as candidates in the most recent local elections. While none were ultimately successful, their engagement in the campaigns is a very important positive change, and now the NGO is supporting around ten women to prepare for the next local elections, through training in debate skills, how to address the electorate and working with the media.

A recent social survey of opinions about female candidates suggests that the public may not subscribe to gender stereotypes to the same degree as the media would suggest. When asked about what qualities are important in a candidate, “gender” was the least common response (only two percent), and some respondents had positive stereotypes about female politicians, namely that they are perceived to be “less prone to corruption, more concerned with the public good, and more aware of the specific problems of the community.”<sup>118</sup> Although the survey respondents strongly associated men with political office, this opinion does not seem to deter voters from choosing a female candidate in a hypothetical situation.<sup>119</sup> Indeed, political parties are said to be recognizing that the electorate is tired of “men in suits” and that women are more often seen as agents of change and associated with a new form of leadership.

Around a third of civil servants are women (31% of higher-level civil servants and 44% of members of local authorities).<sup>120</sup> Yet, women are marginalized in positions of authority in national executive office. As of March 2017, there are three female ministers out of 24 (the Vice Prime Minister of for European and Euro-Atlantic Integration, the Minister of Education and Science and

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<sup>116</sup> Inna Volosevych et al., *Комплексне дослідження становища жінок, які проживають у сільській місцевості* [Comprehensive Studies of Women Living in Rural Areas], (Kyiv: UNDP in Ukraine, 2015), 21.

<sup>117</sup> Kristen Haffert, *Ukraine Gender Assessment 2014*, (Washington, DC: International Foundation for Electoral Systems, 2014), 20.

<sup>118</sup> National Democratic Institute (NDI), *Attitudes Towards Women’s Political Participation in Ukraine*, (Kyiv, 2016), 6-7.

<sup>119</sup> Ibid, 11.

<sup>120</sup> UNDP, *Millennium Development Goals, Ukraine 2000-2015*, (Kyiv, 2015), 43.

the acting Minister of Health care) and 17 of 76 deputy ministers. Significantly, women are absent from leadership positions in some of the key ministries that are dealing with large-scale reforms, such as the ministries of justice, defense and energy.

The low-level of women in governance also has implications for their opportunities to participate in decision-making related to the conflict situation. The specific topic of implementation of UN Security Council **Resolution 1325 on women, peace and security** in Ukraine is addressed in a later section of this report on humanitarian and transition assistance.

### *Civil society development*

Against the backdrop of male dominated politics, women are especially active in civil society, as an alternative means to advocate for their interests. NGOs in Ukraine represent diverse groups of women and also carry out a range of activities, from the provision of direct services, to training and education programs, advocacy and research. The role of NGOs has been especially crucial in advancing national gender equality policy in light of the fact that there have been frequent changes in the government and leaders have lack awareness of, and interest in, gender commitments. The adoption of state policy on gender equality and specific action plans is attributed to the consistent lobbying efforts of NGOs.

Along with international organizations, NGOs “undertake numerous capacity building activities, draft and distribute educational materials, connect Ukraine with the international gender equality networks and conduct advocacy work.”<sup>121</sup> In fact, in many spheres, “the civil society component of [the] gender movement in Ukraine is more active than the state” and women’s NGOs frequently “perform the functions of (and sometimes replace) government agencies.”<sup>122</sup> There are many of positive examples of cooperation between women’s NGOs and specific government agencies, and some authorities are open to working with civil society actors. Still, the government as a whole lacks trust in the expertise of women’s groups and tends to look to the donor community for advice related to gender equality goals, neglecting the opportunity to build on the many years of experience on gender issues in Ukraine that women’s groups have acquired. The weak links between civil society and the government may reflect an overall lack of support by society for women’s NGOs.

There were some differing opinions about the effectiveness of women’s NGO in consolidating their efforts into a single women’s movement. On one hand, those not in the NGO community contend that advocacy efforts on gender equality are fragmented and “women have used their political voice in the NGO sector, [but] a strong women’s movement has not coalesced. Rather, women’s groups work in parallel to one another, are generally not informed about each other’s work, and lack an ongoing communication mechanism that might allow for exchange of their efforts in different parts of the country and even in Kyiv.”<sup>123</sup> Some interviewees for this assessment had similar opinions—that women’s NGOs are quite isolated from each other. Representatives of Ukrainian women’s NGOs, however, were more positive about the state of the movement and felt that various civil society groups do work in cooperation but they have not been able to develop into a women’s

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<sup>121</sup> Yuliya Galustian, “Analytical Report on the Results of Interviews Conducted with Experts in the Area of Gender Policy “Functioning of the National Gender Machinery,” *Surveys, Conducted in the Framework of Preparation of the Eighth Periodic Report on the Implementation in Ukraine of the UN Convention on the Elimination of All Forms of Discrimination Against Women*, (Kyiv: UNFPA, 2014), 13.

<sup>122</sup> Ibid, 20.

<sup>123</sup> Kristen Haffert, *Ukraine Gender Assessment 2014*, (Washington, DC: International Foundation for Electoral Systems, 2014), 16.

movement that covers the entire country or unites different groups of women. In particular, there is only “limited dialog” between women’s NGOs in the west and east of the country.<sup>124</sup>

At the same time, women’s civil society activism is dynamic and changing, and the recent experience of Ukraine’s review by the CEDAW Committee in February 2017 is an example of diverse women’s groups coordinating their efforts with a positive impact. Women’s NGOs submitted 14 alternative reports to the official state report, covering all topics of the Convention. Several reports were authored by a number of organizations working in coalitions, but in presenting information to the Committee, the NGOs provided a unified statement of their priority concerns.

Women’s NGOs are also not evenly represented across the country as a whole, and Eastern Ukraine has a less developed civil society movement. During short fieldwork in Eastern Ukraine (Kramatorsk, Donetsk oblast) conducted for this gender analysis, several examples of nascent NGOs and grass-roots civic activism were observed. Interviewees described groups of citizens coming together to address common issues, most related to the social infrastructure, such as assistance to families of children with disabilities, organizations for youth, improving school infrastructure (toilets, school meals and transport to schools), and rehabilitating parks and public spaces. Some interviewees spoke about how the state is giving some functions to NGOs as part of decentralization processes (for example, local transport), but without clear operational methods. In addition, such organizations in the region are often underdeveloped and lack the capacity and experience to implement projects or to work closely with the government. It will be very important to link any newly-created NGOs that represent the interests of women or advocate for gender equality with more established women’s groups from other parts of the country and also to ensure that the newly formed NGOs have adequate financial support and a voice in local development projects.

## Governance

Good governance encompasses strong rule of law, political parties that effectively represent the interests of citizens, independent civil society and intolerance of corruption. USAID/Ukraine supports programs to strengthen local governance, including activities on budgeting and service provision (in the context of government decentralization). The themes that arose most frequently during the gender analysis that relate to governance concern women’s low representation in government offices as well as concern that decision-making processes are frequently gender blind.

Ukraine is undergoing reforms in **e-governance** (which includes both e-services and e-petitions). E-services are said to be potentially beneficial to women as they are more often the recipients of social benefits (especially child allowances), and a one-stop-shop system would eliminate the need to visit multiple agencies in person to complete the necessary paperwork. Making it possible to register for employment center services online could also be helpful for rural women who face difficulties travelling to urban centers. Mobile banking could be of particular help to women running small businesses who find it challenging to balance family responsibilities with work. E-petitions offer a means for citizens, male and female, to raise concerns about their local community that is an alternative to political activity or membership in an NGO. While no studies were found to support this theory, it is possible that a transparent e-petition process would be more appealing to women who view local politics as corrupt or closed to female participation.

There has been limited analysis of the extent to which e-governance, and e-services generally, are accessible to women and men, and to different female and male groups. In terms of internet usage,

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<sup>124</sup> Women’s International League for Peace and Freedom, *Voices from Ukraine: Civil Society as a Driver for Peace*, (Geneva/New York, 2014), 34.

a nation-wide study indicates that 52% of all polled internet users are female.<sup>125</sup> Typical non-internet users are elderly (over age 50), residents of a village or small town and have lower education. Anecdotal information and the experience of an organization that has supported community-based services for the elderly indicates that when provided with the opportunity to learn about new technologies (computers and mobile phones), women are more interested in and quicker to learn to use them than men. Still, the World Bank notes that men are more likely to use the internet to pay bills (17.7% of men and 9.9% of women over age 15) and to make use of electronic payment systems (7.6% of men and 5.4% of women).<sup>126</sup>

internet access may be more limited for other groups. For example, only 46% of rural women are reported to be computer and internet-savvy.<sup>127</sup> A large number of Romani women have incomplete education because of the high drop out rate for girls (often connected to early marriage), and therefore they may not be in a position to take advantage of e-governance programs without special educational or training programs. People with disabilities who do not have access to specially-adapted technologies may also not benefit from e-democracy. Further research is needed to better identify the characteristics of the gender digital divide, and especially if there is a need for dedicated outreach to particular groups in order to introduce concepts of e-governance and improve access to technology.

Ukraine is undergoing a process of **decentralization** with the aim of creating an effective system of local self-government that has the capacity and resources to adequately address local needs. While the transfer of funding and authority from the central to the local level could, in theory, mean that women have greater opportunities to voice their priorities in local planning, so far “the reform planning, implementation and monitoring mechanisms and process does not provide for any formal participation of women’s groups or disadvantaged women facing multiple forms of discrimination.”<sup>128</sup> There is a concern that experts working in the area of decentralization lack gender expertise and do not view gender as relevant to the reform process. One of the negative outcomes of a gender blind approach has been the sharp reduction in funding for social services that benefit women, such as the closure of pre-school/childcare centers and cuts in nursing staff at clinics, when local authorities allocate funds to other projects. Rural women, in particular, are especially vulnerable to the effects of budget cuts or reallocation of funding as they are generally isolated from the few services that exist (including health care, employment services and support for victims of gender-based violence) and have limited alternatives. Even seemingly gender-neutral decisions about funding for public transportation versus rehabilitation of highways can have a significantly different impact on women and men (as women are much more likely to rely on transport and use feeder roads for their daily needs and men are more often drivers, using major roads.)

Women’s low representation in decision-making positions in government (from the national to the local level) means that they are not in a position to influence reform. In addition, most local authorities have little understanding of or experience in conducting gender analysis or gender mainstreaming. The situation appears to be particularly acute in some regions. For example, in Donetsk, a capacity assessment of local officials found that that “women represent a majority among mid-level officials in the local government bodies, [but] their capacity to influence the

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<sup>125</sup> East Europe Foundation, *What Ukrainians Think about E-Government and E-Democracy*, (Kyiv, 2015).

<sup>126</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 74.

<sup>127</sup> Ukrainian Parliament Commissioner for Human Rights, *Shadow report (Submission) on implementation of the UN Convention on the elimination of all forms of discrimination against women by Ukraine*, (Kyiv, 2017), 18.

<sup>128</sup> United Nations Country Team Ukraine, *Submission to the Committee on the Elimination of Discrimination against Women*, (Kyiv, 2016), 7.

decisions is insignificant.”<sup>129</sup> In 2015, even though women submitted half of all complaints to local authorities (mainly about service delivery), “only 19% of their complaints were addressed.”<sup>130</sup>

There is evidence from Ukraine, however, that when efforts are coordinated and a gender lens is applied, tools can be introduced into the decentralization process that will improve the responsiveness to gender. For instance, capacity building and exercises in gender-responsive budgeting are currently being conducted with the Ministry of Finance and at the oblast level (including Kyiv)<sup>131</sup> as well as at the community level.<sup>132</sup> Gender-responsive budgeting refers to a process of integrating gender perspectives into the budget process so that by taking the needs of women and men into account, budget expenditures are more economically effective. Representatives in finance departments have received training using a unified methodology in how to conduct gender analysis and develop recommendations. Gender budgeting exercises conducted from 2015-2016 in five pilot regions and covering four sectors (education, health, social protection and social security, and youth policy and sport) show that the process can reveal striking inequalities in budget allocations that were previously unseen. To choose just a few examples: in Dnipropetrovsk oblast, it was observed that as they get older, the number of girls with disabilities receiving rehabilitation services through state centers is considerably less than the number of boys, due in part to stereotypes about boys with disabilities having a greater need to improve their skills in self-care; boys with disabilities also receive a much larger share of round-the-clock care, which is more expensive to provide.<sup>133</sup> In Kirovohrad oblast, young women were the majority of those who took part in youth-oriented activities funded by the local budget, and they also represented 76% of the recipients of scholarships for excellent students that used regional funds.<sup>134</sup> These findings suggest that local funding has not as effectively benefitted young men and also that there has been insufficient attention to why young men are more passive and lower achievers academically.

Other positive activities that are taking place under the larger umbrella of decentralization include citizen participation in budget hearings and community meetings to decide on local priorities. According to interviewees in Donetsk oblast, female citizens have generally been more active in pushing for and organizing these types of local activities (whereas men and boys are more often engaged in “patriotic” activities). The interviewees gave examples of a number of social sector initiatives on issues that are often of concern to women (such as re-opening several pre-school/childcare centers, holding an educational forum for teachers and creating a hub to support youth innovation and start-ups).

## Corruption

Fighting corruption and promoting transparency and accountability are cross-cutting objectives for USAID/Ukraine that implicate some of the topics addressed above, such as access to justice and women’s political participation. Determining how gender intersects with corruption is a complicated task because corruption itself encompasses a number of practices, ranging from bribery to abusing one’s power to patronage. There are also questions of whether men and women have equal opportunities to engage in corrupt practices, the differing circumstances in which they encounter corruption as well as whether attitudes toward corruption and levels of trust in

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<sup>129</sup> Ibid.

<sup>130</sup> Ibid.

<sup>131</sup> Under the Gender Budgeting in Ukraine” Project, funded by the Swedish Development Agency (SIDA). Scale up is planned to include some raions and cities.

<sup>132</sup> Implemented by the National Democratic Institute and funded by USAID/Ukraine.

<sup>133</sup> Gender Budgeting in Ukraine Project, *Gender Budget Analysis of Programs Financed from the State and Local Budgets in Ukraine in 2016. Summary*, (Kyiv, 2016), 55.

<sup>134</sup> Ibid, 67.

institutions differ along gender lines. Still, promoting transparent and accountable governance should go hand in hand with eliminating gender inequalities. Corruption exacerbates inequality, and unfair or discriminatory practices are antithetical to fair, accountable and transparent governance.

There exists a common perception that women are inherently less corrupt than men, and this can be seen in polls of the electorate that indicate that female politicians are believed to be “honest, fair and just” and men are seen to be “more corrupt, out of touch, tied to oligarchs, prone to in-fighting and in politics for personal gain.”<sup>135</sup> At the same time, women may simply lack opportunities to take advantage of their positions. Corruption in civil service is said to be both pervasive and growing yet it is also associated with senior civil servants who can exercise greater influence. Women are the minority of civil servants in managerial positions, and therefore have “fewer possibilities to be involved in corrupt acts.”<sup>136</sup> Nevertheless, women are still vulnerable to the problems associated with lack of transparency and corruption in public service, and “inadequate pay, sexual exploitation, lack of promotion or unfair dismissals disproportionately affect more women than men.”<sup>137</sup>

Whether women or men engage in corrupt practices may also depend on the context. For instance, a study that only touched on gender differences in attitudes toward corruption found that women, more than men, expressed a willingness to give bribes to help their child in school.<sup>138</sup> On the other hand, women-owned businesses are considered to be relatively insulated from bribes and corruption (described as “off the radar” for corrupt officials) because they are generally smaller in size and there is more to gain from targeting male businesses owners. Anti-corruption campaigns could benefit from gender-sensitive messaging that is based on where women and men encounter corruption in their lives.

Research into women’s and men’s perceptions of corruption in Ukraine indicate that for the most part people’s values are remarkably similar across sex and age groups. Women appear to be marginally more tolerant of corruption than men. Among older citizens in particular (age 60 and above), 38% of women and 42% of men in one survey said corruption is never justified.<sup>139</sup> Women are also less hopeful about the prospect that corruption can be eliminated (48% of women, as compared to 42% of overall respondents, do not believe that corruption can be defeated in Ukraine).<sup>140</sup> The main gender-based differences, which were fairly minor, concern attitudes about one’s willingness to take action in cases of corruption or against corrupt individuals. Figure 4, below, depicts the statements for which there was the greatest degree of disagreement between men and women in one particular study.

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<sup>135</sup> Kristen Haffert, *Ukraine Gender Assessment 2014*, (Washington, DC: International Foundation for Electoral Systems, 2014), 22.

<sup>136</sup> Yuliya Galustian and Nataliya Kovalchuk, *The Analysis of Corruption Risks in the Public Service Related to Gender Equality*, (Kyiv, 2014), 16.

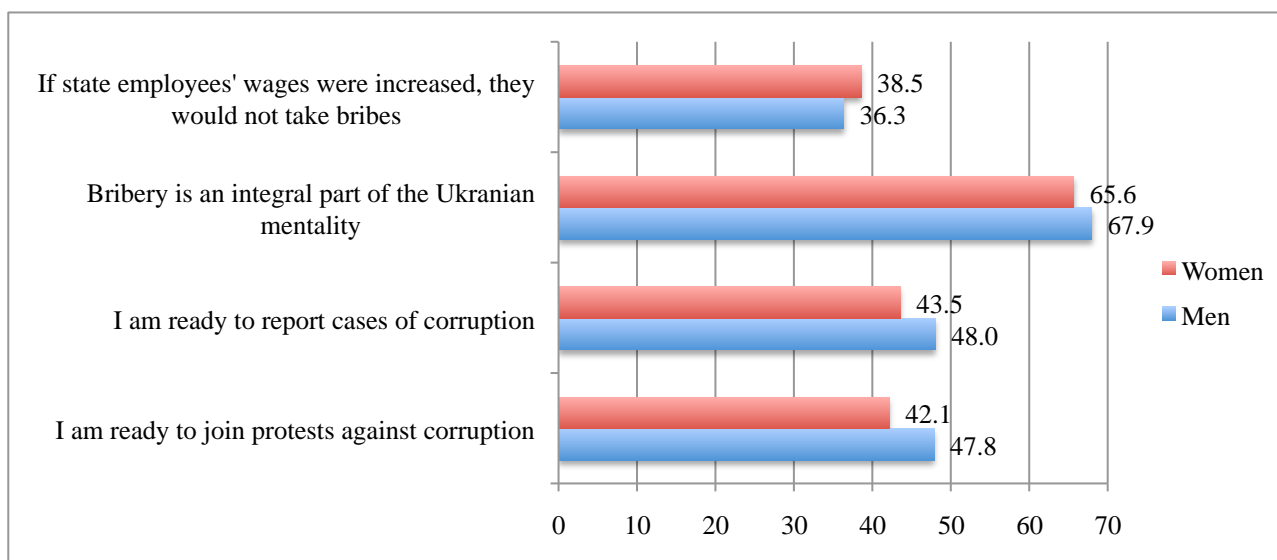
<sup>137</sup> Ibid.

<sup>138</sup> Sean Roberts and Robert Orttung, *Changing Corrupt Behaviors Assessment: Addressing Everyday Corruption in Ukraine*, (Washington, DC: USAID, 2015), 44.

<sup>139</sup> Kiev International Institute of Sociology, *Corruption in Ukraine. Comparative Analysis of National Surveys: 2007, 2009, 2011 and 2015*, (Kyiv, 2015), 27.

<sup>140</sup> National Reform Council, *Reform Progress Monitoring 2016*, (Kyiv, 2016), 19.

**Figure 4. Gender Differences in Attitudes Concerning Corruption (% of respondents)**



Source: Kiev International Institute of Sociology, *Corruption in Ukraine. Comparative Analysis of National Surveys: 2007, 2009, 2011 and 2015*, (Kyiv, 2015), 28.

### Media

Mass media plays a key role in shaping public opinion and can also be used as a powerful tool in countering gender-based stereotypes. The role of both the media (including social media such as Facebook, Twitter, etc.) and advertising in perpetuating gender stereotypes was raised by a number of experts during this gender analysis. Advertisement and the media images of women suggest that they “should only be employed in service jobs and subservient positions, while men are assigned leading roles in society.”<sup>141</sup> Media depictions of women generally focus on their roles in education, culture and sport, their work as volunteers and assisting ATO combatants and as victims of accidents and violence (and seldom as entrepreneurs or military personnel). Sexism and objectification of women is not uncommon in advertising. Stereotypical representations of men in the media include positive images of men as political leaders and participants in the ATO, but men are also characterized as law-breakers and criminals, or engaged in corruption.

A related problem is the lack of media attention given to female experts. Media monitoring conducted from 2013 to 2015 of both national and regional media shows that women are consistently around 20%-25% of those depicted in print and online publications (an analysis of experts cited in the media, number of photos of women and men, coverage of topics in which women or men are the main subject and sex of columnists and bloggers).<sup>142</sup> Media outlets in Volyn and Kharkiv relied on female experts to the greatest extent (30% of cited experts), while the Kyiv, Poltava and Chernivtsi regional media quoted women experts far less often (in 16% of articles in Kyiv and 17% in the other regions).<sup>143</sup> When women experts engaged in discussion by mass media outlets they are mostly providing opinions about medicine, education, culture and fashion, but

<sup>141</sup> Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (Eighth Periodic Report)*, (Ukraine, 2016), 10.

<sup>142</sup> See results of gender monitoring conducted by the Institute of Mass Information, accessible from: [http://imi.org.ua/gender\\_monitoring/](http://imi.org.ua/gender_monitoring/).

<sup>143</sup> Regional media monitoring conducted in 2015. See Institute of Mass Information, “Як дотримуються гендерного балансу регіональні ЗМІ [The observed gender balance in regional media],” 4 February 2016, accessible from: [http://imi.org.ua/gender\\_monitoring/52148-yak-dotrimuyutsya-gendernogo-balansu-regionalni-zmi.html](http://imi.org.ua/gender_monitoring/52148-yak-dotrimuyutsya-gendernogo-balansu-regionalni-zmi.html)



almost never on politics or the economy. Even female parliamentarians are seldom interviewed by the media (or reports concern their appearance and how they are dressed), which effectively reduces their authority in the eyes of the public.

There are a large number of female journalists, but women are underrepresented in decision-making roles, such as hosts of television programs, managers, editors or media owners. Despite their high representation, women are said to be “invisible” in the media, and are not always supported to report or write about issues in their interests. Female journalists and correspondents may not necessarily be any more gender sensitive than their male colleagues in terms of their choice of experts or use of language. The National Council of Television and Radio Broadcasting conducts some media monitoring but only acts on sexism or gender stereotyped depictions if it receives complaints from a viewer or listener. The media is generally self-regulating in terms of addressing gender issues, and few media outlets have developed their own non-discrimination policies or editorial standards. There have been a number of training programs to improve the gender-sensitivity of journalists and other media actors, but these efforts are led by NGOs and international organizations. “The State does not exercise any influence on commercial TV or radio, which continue to release discriminatory and sexist advertising and programs.”<sup>144</sup>

Progress has also been made in improving advertising standards. The Law on Advertising prohibits discriminatory statements, including any that are based on gender. Women’s NGOs have been active in monitoring advertising campaigns and trying to hold the relevant companies accountable. Additionally, after adopting non-discriminatory advertising standards, a group of professional associations of advertisers and marketers created the Industrial Gender Committee on Advertising (IGCA)<sup>145</sup> (to promote the standards and to perform monitoring functions). The Committee consists of both gender experts from civil society and advertising professionals. It considers complaints regarding the content of advertising and marketing products, including on sexism and gender stereotypes, and may impose sanctions for violations of the standards. The IGCA also conducts monitoring, outreach and training activities. One gender expert interviewed for this report explained that while the media has only minimally reduced its use of gender stereotypes and sexism, the greatest change has been in the readiness of activists and the public to respond to specific incidents.

In terms of gender stereotypes, some mainstream media outlets perpetuate homophobia and even hate speech (this is said to be more characteristic of regional media rather than national sources) and journalists often use incorrect terminology or sensationalize stories pertaining to the LGBTI community. On the positive side, activists point out that from year to year “the professionalism and impartiality of Ukrainian mass media in covering issues related to LGBT life are gradually increasing.”<sup>146</sup> Ukraine has also not followed the example of neighboring countries that have tried (some have succeeded) to place restrictions on media coverage of stories pertaining to the LGBTI community. In 2012, a draft law that would have banned the production or publication of materials that “promote homosexuality,” including by media outlets, did not pass the first reading in the Verkhovna Rada and so has been tabled indefinitely. Electronic LGBTI media outlets have also been increasing their capacity to provide responsive coverage of events and high quality original articles.<sup>147</sup>

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<sup>144</sup> Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (Eighth Periodic Report)*, (Ukraine, 2016), 10.

<sup>145</sup> Industrial Gender Committee on Advertising: <http://uam.in.ua/gkr/eng/>

<sup>146</sup> Andrii Kravchuk and Oleksandr Zinchenkov, *From Despair to Hope. LGBT situation in Ukraine in 2014*, (Kyiv: LGBT Human Rights Nash Mir Center, 2015), 11.

<sup>147</sup> *Ibid*, 16.

## ECONOMIC GROWTH AND OPPORTUNITIES

USAID/Ukraine recognizes Ukraine's potential to create an open and competitive economy and overcome the economic stagnation of the post-Maidan period. Donor support has focused on supporting the country in structural reforms in order to create jobs, which in turn will help to grow the middle class, increase private sector investment and improve access to European markets. Economic growth will bring benefit to the entire population, but Ukraine also exhibits distinct gender inequalities in terms of access to economic opportunities. This section of the gender analysis report includes information about women's economic status and position in the labor market which should be given consideration in economic reform programs in order to ensure that women are in a position to benefit equally to men.

### Poverty

Individual poverty rates do not suggest that there is a “feminization of poverty” phenomenon in Ukraine, and poverty rates among men are somewhat higher than among women for most age groups.<sup>148</sup> However, statistical assessments of poverty by sex are limited, and national methodologies are based on household surveys (in which it is not possible to reliably disaggregate data by sex of the household head). The World Bank points out that the “poverty profiles [in Ukraine] are clearly gendered.”<sup>149</sup> Families with many children, and especially female-headed households are the most vulnerable to poverty, and elderly women and women during the most active reproductive years (age 20-29) also face high poverty rates.<sup>150</sup> The reasons for the higher risk for poverty among these two groups are related. Poverty rates for older women result from lifetimes of lower earnings, as well as time taken out of the workforce to raise children, which contribute to the gender gap in pensions. Many younger women take long childcare leave and thus their personal income is dependent on childcare allowances and social benefits. Indeed, 2013 household survey data show that “women account for a majority in the low-income population, applying for the state social assistance;” the number of women was 1.35 times larger than the number of men receiving benefits for children, and it was 1.43 times larger among recipients of other benefits and 2.25 times larger among recipients of subsidies.<sup>151</sup>

Analysis of multi-dimensional poverty presents a picture of the risks that **rural women** face. In general, households in rural areas have a 2.5 times higher risk for non-monetary poverty than the average in Ukraine.<sup>152</sup> A 2014 survey of rural women found that they faced significant deprivations. Nine percent of the respondents considered their living conditions to be “inadequate or poor” (mainly referring to inadequate water and electricity supply); 41% reported having to decrease food expenses to save money for seasonal clothing and shoes; 48% reported they could not afford medicine or to pay for medical services; 26% said that they would like to continue their education yet of these, half could not afford to pay for it; 22% were not employed in jobs that corresponded to their qualifications; and just over half (54%) of the employed women worked full time.<sup>153</sup>

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<sup>148</sup> UNDP, *Millennium Development Goals, Ukraine 2000-2015*, (Kyiv, 2015), 20.

<sup>149</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 8.

<sup>150</sup> Ibid.

<sup>151</sup> Ibid, 67.

<sup>152</sup> UNDP, *Millennium Development Goals, Ukraine 2000-2015*, (Kyiv, 2015), 21.

<sup>153</sup> Inna Volosevych et al., *Комплексне дослідження становища жінок, які проживають у сільській місцевості* [Comprehensive Studies of Women Living in Rural Areas], (Kyiv: UNDP in Ukraine, 2015), 39, 45, 56, 58.

Women's economic dependence limits their opportunities in other areas. Survivors of gender-based violence, especially domestic violence but also including sexual harassment, frequently stay in abusive relationships or employment situations because they are unable to support themselves financially or fear losing their jobs. Household poverty is one of the reasons that Romani girls do not complete their compulsory education when families prioritize using scarce resources for the education of boys.

The IDP situation has also meant an increase in the population that is vulnerable to poverty, especially women who have *de facto* become heads of household but are facing very high unemployment, limited access to benefits and other resources, as well as social exclusion. The state has provided only minimal support to female IDPs in this situation, without recognizing them as a target group for assistance.

### *Gender and the labor market*

The labor force of Ukraine (people over the age of 15, and up to age 58 for females and 59 for males) is more than 18 million people, and there are gender differences in labor force participation rates. Of the working age population, 66.5% of women are economically active as compared to 76.7% of men.<sup>154</sup> Notably, the male labor force participation rate in Ukraine has decreased somewhat and is lower than averages for both the EU and the Europe and Central Asia (ECA) region. While Ukraine has had a historically high female labor force participation rate as compared to Europe, the fact that women have a lower retirement age than women in the EU means that the gap is narrowing.<sup>155</sup>

The gender gap in labor force participation/inactivity is linked closely to personal and family-based factors, such as marriage and parenthood. Labor Force Survey data from 2014 shows that the largest gender gap in economic activity occurs among married people (ages 15-70)- a male economic activity rate of 75.5% and a female rate of 60.7%.<sup>156</sup> The gap is explained by the fact that most people subscribe to traditional gender roles for women and men, with males adopting the breadwinner role and women taking time out of the labor force to run the household and raise children. As discussed below, persistent discrimination in the employment sector also pushes women into this role.

Excluding pensioners, the most significant reason for men's economic inactivity is their engagement in education, although this figure has been decreasing among the total share of economically inactive men. For women, however, the second reason for their inactivity, after retirement, is their "housewife status;" they are engaged in domestic duties. The proportion of women who are not economically active for family reasons has increased among all inactive women from 2005 to 2015, as illustrated in Figure 5, below. While they represent less than nine percent of economically inactive men, it is nevertheless a positive trend that the proportion of men out of work due to domestic responsibilities has increased over the ten-year period.

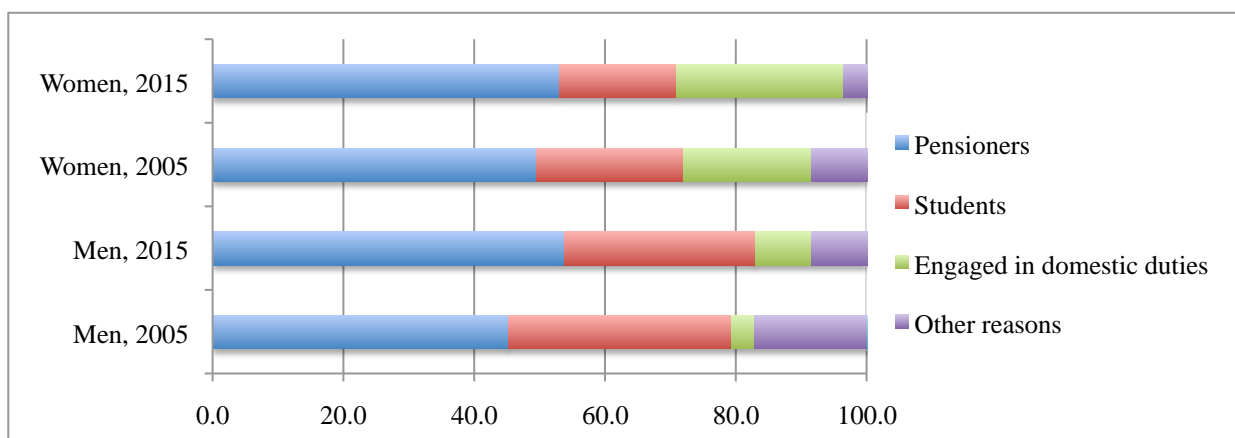
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<sup>154</sup> State Statistics Service of Ukraine, Demographic and Social Statistics, Economically active population in 2015, by sex and place of residence, accessible from: <http://www.ukrstat.gov.ua>.

<sup>155</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 45.

<sup>156</sup> *Ibid*, 46.

**Figure 5. Economically Inactive Population, by Sex and Reasons for Inactivity (%) (2005, 2015)**

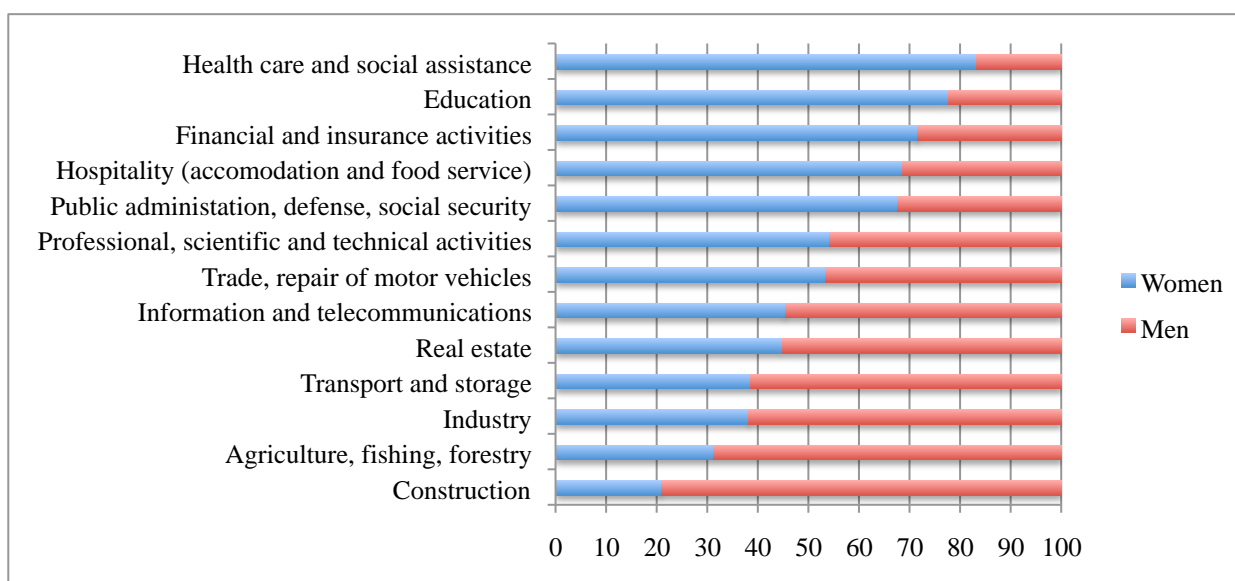


Source: State Statistics Service of Ukraine, *Economic Activity of Population in Ukraine 2015*, (Kyiv, 2016), 122 (data for 2015) and E.M. Libanova, ed., *Analytical Research on Women's Participation in the Labour Force in Ukraine*, (Kyiv: UNFPA, 2012), 16 (data for 2005).

The labor market in Ukraine exhibits both **horizontal and vertical gender-based segregation**. Specific occupations are generally considered “appropriate” for men or women, and this results in horizontal segregation in which women are concentrated in specific and low-paid sectors while men are not only present in a larger number of fields but are overrepresented in sectors with higher wages. Vertical segregation refers to the fact that women are less likely to occupy managerial and other high positions in their professional lives.

Horizontal segregation in formal employment is marked in Ukraine but the pattern is also common in other countries and regions. Women work mostly in the public sector (health care and education—where women represent 83% and 78% of employees, respectively) and in the service sector. Men have greater representation in construction (79% of employees), industry and transport and communication (62% for both sectors). A greater number of men than women are engaged in formal agricultural work. See Figure 6.

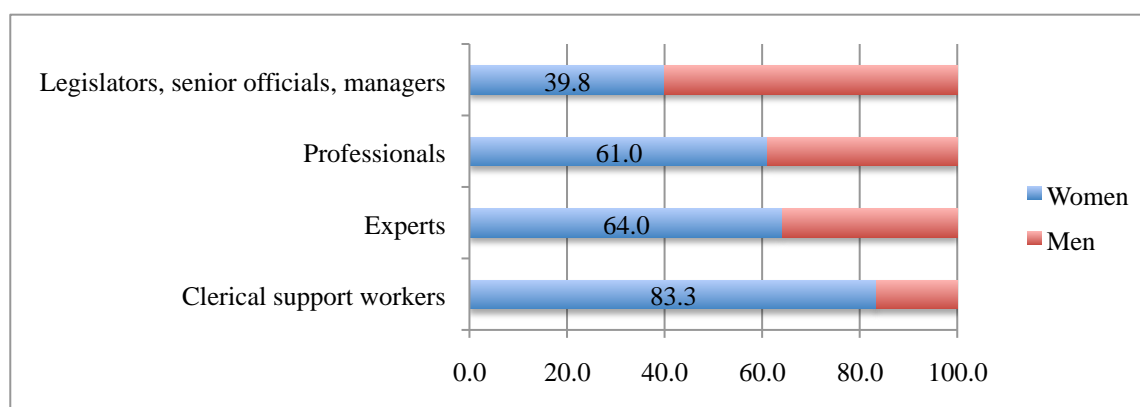
**Figure 6. Employment by Major Sectors, by Sex (% of total employed) (2015)**



Source: State Statistics Service of Ukraine, *Праця України у 2015 році [Labor in Ukraine for 2015]*, (Kyiv, 2016), 30.

Calculating the extent of vertical segregation in Ukraine is complicated by the fact that there is no uniform methodology for classifying which positions would be considered “managerial” or have sufficient decision-making authority that they are paid higher wages. Official sex-disaggregated statistics of the employed population by occupation group reveal that men account for the majority of skilled workers and machine operators in industry (86% and 84%, respectively) while more than two-thirds of services and sales workers are women (68%).<sup>157</sup> The distribution of working age women and men in management, professional and clerical posts has the following pattern: while women are well-represented among professionals and experts, they are underrepresented in management. At the same time, women fill most of the clerical support roles.

**Figure 7. Employed Women and Men, by Occupational Classification (%)**<sup>158</sup>



Source: State Statistics Service of Ukraine, *Economic Activity of Population in Ukraine 2015*, (Kyiv, 2016), 79-81.

In the private sector, men also predominate in the top management of enterprises. Women tend to manage firms in which the majority of the workforce is female, and the same pattern holds true for male managers and male employees. The topic of enterprise management is discussed in greater detail in the following section on entrepreneurship.

Labor market segregation is not only a reflection of gender stereotypes, or the personal choices of employees, but has direct links to **protective legislation** that limits women from performing certain types of work. Protective provisions, found in the Labor Code and a specific order,<sup>159</sup> include the following limitations on women’s labor:

- Prohibition on night work
- Prohibition on work that involves heavy lifting and jobs with hazardous or dangerous working conditions and underground work (a list of over 500 professions)
- Prohibition on overtime work, work on weekends and travelling on business trips for women with children under age three

The restrictions on women’s employment are often justified as intending to protect women’s reproductive functions. The negative effects of such “special care,” however, include “a significant difference in the financial security of women and men, creating diametrically different expectations for women and for men, [and] the image of women as uninformed persons in need of external

<sup>157</sup> State Statistics Service of Ukraine, *Economic Activity of Population in Ukraine 2015*, (Kyiv, 2016), 79-81.

<sup>158</sup> Data for 2015, working age population.

<sup>159</sup> Decree No. 256 of the Ministry of Health Care, 29 December 1993.

control and care.”<sup>160</sup> The CEDAW Committee has expressed the view that “such legislation reflects persistent stereotypes concerning the roles and responsibilities of women and men in the family and in society that have the effect of perpetuating traditional roles for women as mothers and wives and undermining women’s social status and their educational and career prospects.”<sup>161</sup> Restricting jobs for women, based on stereotypes, is contrary to the goals of CEDAW to promote the employment of women. It has been argued in Ukraine that the protective prohibitions comply with requirements of the International Labor Organization (for example, permitting restrictions women’s night work in very narrow circumstances such as in family-run enterprises). However, the ILO has drawn attention to the discriminatory consequences of such provisions and warned member states against the use of protective measures “when there is no scientifically proved increased risk specifically for women.”<sup>162</sup> A better approach, that is endorsed by the ILO, is to remove the health risks from the workplace for the protection of all employees.

A draft version of the Labor Code that was submitted to parliament in 2015 would change the night work prohibition to apply to pregnant women only, but no changes have yet been adopted. Courts consistently uphold the labor restrictions when they have been litigated by female plaintiffs. Moreover, there are examples of courts interpreting the spirit of the prohibition as extending beyond the actual list of restricted jobs, as was the case when a court upheld a refusal to hire women as street cleaners because the job involved trimming tree branches (even if the female worker agreed to perform the work).<sup>163</sup> Because employers who violate the restrictions can be fined, it is simpler for them not to hire women or to place women who are pregnant or have young children in other roles, even if the female employees themselves would agree to the specific duties. In this way, women are often shut out from well-paying work.

Employment restrictions and women’s concentration in low-paid sectors and positions contribute to a **gender wage gap** in Ukraine. Although experts acknowledge that it is difficult to estimate the size of the gap, since “wage statistics are based on official wages and include neither what is paid in the ‘envelope’ nor non-registered self-employment,”<sup>164</sup> there is a clear difference in the average pay of women and men. In 2016, women earned on average only 73.7% of men’s average monthly wage (comparing the average accrued wages for the first quarter of 2016- 3 966 UAH for women and 5 379 for men).<sup>165</sup> This pay gap of almost 30% is much larger than the average for the 28 EU members (which was 16.3% in 2015<sup>166</sup>). It is also concerning that the wage gap has hardly changed since 2000 when it was estimated at 29%. Periods in which the gap narrowed, around 2009-2010, were associated with the global financial downturn and a decline in men’s average wages and not an increase in women’s earnings. When analyzing employment by sector, wage gaps are higher than the average in the fields in which men dominate (such as mining, manufacturing and energy

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<sup>160</sup> Olena Uvarova, “Ukraine National Report,” in *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 130.

<sup>161</sup> The CEDAW Committee was commenting on a complaint against the Russian Federation brought by a woman who was denied a job in ship navigation based on a similar list of prohibited jobs. Committee on the Elimination of Discrimination against Women, Views adopted by the Committee at its sixty-third session, (15 February- 4 March 2016) on Communication No. 60/2013, 2016, para. 11.3.

<sup>162</sup> VAITE company, *Women and Men on the Ukrainian Labour Market: A Comparative Study of Ukraine and the EU*, (Kyiv, 2016), 15.

<sup>163</sup> The particular case took place in Ivano-Frankivsk oblast in 2013. Olena Uvarova, “Ukraine National Report,” in *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 131.

<sup>164</sup> VAITE company, *Women and Men on the Ukrainian Labour Market: A Comparative Study of Ukraine and the EU*, (Kyiv, 2016), 15.

<sup>165</sup> State Statistics Service of Ukraine, Average monthly wages and salaries of women and men by type of economic activity in 2016, accessible from: <http://www.ukrstat.gov.ua>.

<sup>166</sup> See Eurostat, Gender pay gap statistics, accessible from: [http://ec.europa.eu/eurostat/statistics-explained/index.php/Gender\\_pay\\_gap\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Gender_pay_gap_statistics)

supply- where women's wages were on average 71% of men's wages in 2014), but are still present in traditionally "female" fields (such as education, health and social work, and the arts and entertainment, where women's wages were 93.4%, 88.2% and 50.8% of men's wages, respectively).<sup>167</sup>

Differences in salary can also be observed in different occupational classifications. For instance, in 2015 it was estimated that women employed in top management positions received 58% of men's salaries, in middle management positions, they earned 65%, in senior positions or as group managers they were paid 58%, as specialists - 59%, and as qualified workers- 64%.<sup>168</sup>

The World Bank states that "there are no efficient instruments to reduce the gap through gender policies; it depends largely on the impact of macroeconomic processes and labour market regulations."<sup>169</sup> Gender experts note that provisions in the Equal Rights law and in the State Program on Equal Rights and Opportunities for Women and Men to 2016 uphold the principle of equal for equal work, but that no mechanisms have been elaborated to ensure parity in wages. Furthermore, although the gender gap is a clear indicator of gender inequality, it has not been a priority topic for policy-makers but is "passed over in silence."<sup>170</sup>

According to official data, men represent 59% of the total population in **informal employment** (both as employees and self-employed persons).<sup>171</sup> Agriculture accounts for the largest number of informally employed men and women, but there are also significant numbers of men employed informally in construction, and women informally work in trade (sales clerks in shops and markets), in restaurants, and as domestic workers. Informal work is risky for both male and female employees because it is outside of regulations for health and safety, wages, sick leave and holidays. For women, informal employment may be appealing as it can be more flexible and easier to combine with domestic duties, but such work also leaves them vulnerable to dismissal without social security protections during pregnancy or if they ask for childcare leave.

According to ILO data, the male **unemployment rate** is higher than the female for every age group (for the total working age population, 10.4% of males are unemployed as compared to 8.5% of females).<sup>172</sup> The numbers of officially registered unemployed, however, indicate that women consistently make use of employment services at a greater rate than men; in 2016, women accounted for 55% of the registered unemployed.<sup>173</sup> The average duration of job searching is equivalent for women and men (seven months). There are important differences, however, for rural and urban women. A study of unemployed rural women found that the majority (71%) do not register with an employment center because they do not believe the center will assist them in finding a suitable job (the answer given by almost half of the respondents), the distance to the

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<sup>167</sup> State Statistics Service of Ukraine, *Жінки і Чоловіки в Україні [Women and Men in Ukraine]*, (Kyiv, 2015), 68.

<sup>168</sup> Women's and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine's Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (Eighth Periodic Report)*, (Ukraine, 2016), 17.

<sup>169</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 61.

<sup>170</sup> Women's and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine's Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (Eighth Periodic Report)*, (Ukraine, 2016), 17.

<sup>171</sup> State Statistics Service of Ukraine, *Economic Activity of Population in Ukraine 2015*, (Kyiv, 2016), 97.

<sup>172</sup> State Statistics Service of Ukraine, Demographic and Social Statistics, ILO unemployment rate in 2015, by sex, age group and place of residence, accessible from: <http://www.ukrstat.gov.ua>.

<sup>173</sup> State Statistics Service of Ukraine, Demographic and Social Statistics, Registered unemployed in 2016, by sex and place of residence, accessible from: <http://www.ukrstat.gov.ua>.



center is far and they face difficulties obtaining the documents needed for registration (around 20% of the respondents gave this answer).<sup>174</sup>

It does appear that unemployed women have more difficulties finding work. Among those who are “discouraged in job searching,” there are more men in absolute numbers but a higher proportion of women who have spent more than 12 months unemployed (86.5% of all unemployed women as compared to 66.6% of all unemployed men). Women among the unemployed who are in the discouraged group spend an average of 28 months out of work as compared to 22 months for men.<sup>175</sup> It is not clear whether employment services do not have sufficient work offers for women or may not be providing women with the kind of re-training and skills development they would need to enter (or re-enter) the job market. It is also possible that because men are more often unemployed due to the end of seasonal work, some are able to find employment more readily without using state services.

### *Discrimination in the workplace*

Various forms of discrimination in employment were raised by respondents during this gender analysis process. Such discrimination is based on gender stereotypes and stems from employers’ reluctance to hire women over concerns that their family responsibilities will interfere with their work as well as the view that maternity and child care leave payment are burdensome.

Discriminatory practices can be observed beginning at the **recruitment** stage. Vacancy announcements published both by mass media and on job search websites routinely include sex-specific requirements despite the fact “employers are not permitted to explicitly advertise jobs to women or men only,”<sup>176</sup> except in narrow circumstances when the work can only be performed by person of one sex or the other. Media monitoring conducted at varying times, and using differing methodologies and sources, have found that anywhere from 70% (2010<sup>177</sup>) to 10% (2013<sup>178</sup>) of job advertising contain discriminatory provisions. In 2011, NGO-conducted analysis found that more than two-thirds (69.6%) of job advertisements included requirements that were discriminatory towards women and around one third (30.4%) were discriminatory toward men.<sup>179</sup> Specifically, almost three-quarters of the vacancy notices for secretaries, office managers and assistants specified female applicants, while managerial jobs and openings for skilled specialists were directed only to men.<sup>180</sup> It should be noted that NGOs have been active in monitoring websites, newspapers and magazines that publish job vacancies, and because of their actions, there has been a decreasing number of announcements that specify the sex of the applicant.<sup>181</sup> Employers and media outlets, however, have taken few steps to ensure that advertisements are not discriminatory. In an assessment of several hundred private companies, respondents reported that it is not uncommon for

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<sup>174</sup> Olena Uvarova, “Ukraine National Report,” in *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 138.

<sup>175</sup> State Statistics Service of Ukraine, *Economic Activity of Population in Ukraine 2015*, (Kyiv, 2016), 131.

<sup>176</sup> Gulbarshyn Chepurko, *Gender Equality in the Labour Market in Ukraine*, (Kyiv: ILO DWT and Country Office for Central and Eastern Europe), 2010, 32

<sup>177</sup> Ibid.

<sup>178</sup> Ukrainian Parliament Commissioner for Human Rights, *Shadow report (Submission) on implementation of the UN Convention on the elimination of all forms of discrimination against women by Ukraine*, (Kyiv, 2017), 16.

<sup>179</sup> E.M. Libanova, ed., *Analytical Research on Women’s Participation in the Labour Force in Ukraine*, (Kyiv: UNFPA, 2012), 107.

<sup>180</sup> Ibid.

<sup>181</sup> Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (Eighth Periodic Report)*, (Ukraine, 2016), 10.

women to be asked at the recruitment stage if she plans to marry or to have children and that pregnant women and those with small children will generally not be hired.<sup>182</sup>

At the **hiring** stage, employers frequently engage women informally, without concluding a contract, in order to avoid social payments for maternity and child care leave. A woman who was interviewed for this gender analysis described being required to sign a contract stating that she would not become pregnant for four years, after being hired for a job. Apparently, this practice is not uncommon.

Ukraine has not developed a strategy, aligned with EU policy, that would support a modern labor market that “is both competitive and able to protect employees, particularly a labour market that allows for better **reconciliation of work and family life**.”<sup>183</sup> Women face particular difficulties in this regard. As noted above, employers often view female employees as a burden due to generous social protections available under the law. *De facto*, however, informal employment and discrimination mean that many women are not able to make use of the social protections to which they are entitled. In 2012, of 2 500 enterprises under inspection by the State Labor Inspectorate of Ukraine, more than 900 violations were detected relating specifically to women’s rights (for example, late payment of child care leave, engaging pregnant women and mothers of children under age three in prohibited work, and non-payment of sick leave). NGOs estimate that the small sample suggests there is high rate of such labor rights violations in the country as a whole.<sup>184</sup> Rural women are at risk for labor violations but many have limited knowledge of their rights to employment-based social protections. According to one study, 14% of rural women were not paid maternity leave by their employers, and only half believed that their employers would offer them the same or a similar position after their leave. Concerning sick leave, 17% of the surveyed women said they did not receive any paid time off, which could be due to the fact that a large number (almost half) had only been offered informal work by their employers.<sup>185</sup> It is also noteworthy that almost a quarter (23%) of the respondents stated that they chose not to take on formal work as it would have meant a reduction in their salaries.

Men also face difficulties in protecting their rights to paternal leave. While gender stereotypes undoubtedly influence men not to take leave (in addition to the fact that as the higher earners, they would be dissuaded from taking unpaid leave), “the government has failed to promote and inform about the possibility for men to use parental leave.”<sup>186</sup> Flexible work arrangements are underdeveloped, and Labor Code provisions referring to limitations on certain work duties for women of children under age three are not applied to working fathers. In fact, there has been at least one instance of a court upholding a refusal of a father’s request for parental leave based on an interpretation of relevant law that such leave is only available to fathers who are raising children as single parents.<sup>187</sup>

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<sup>182</sup> GfK, *Gender Equality Baseline Study*, (Embassy of Canada in Ukraine, 2017).

<sup>183</sup> VAITE company, *Women and Men on the Ukrainian Labour Market: A Comparative Study of Ukraine and the EU*, (Kyiv, 2016), 5.

<sup>184</sup> Labor Initiatives, *Ukraine’s compliance with the Convention on the Elimination of All Forms of Discrimination against Women. Report for the Pre-Sessional Working Group of the Committee on the Elimination of Discrimination against Women*, (Kyiv, 2016), 6.

<sup>185</sup> Olena Uvarova, “Ukraine National Report,” in *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 138.

<sup>186</sup> VAITE company, *Women and Men on the Ukrainian Labour Market: A Comparative Study of Ukraine and the EU*, (Kyiv, 2016), 5.

<sup>187</sup> Olena Uvarova, “Ukraine National Report,” in *Barriers, Remedies and Good Practices for Women’s Access to Justice in Five Eastern Partnership Countries*, (Council of Europe, 2016), 126.

In 2015, the Ukrainian Labor Code was amended to include both **sexual orientation and gender identity** in the list of protected grounds. Unfortunately, employment is an area where LGBTI persons continue to face discrimination due to the lack of mechanisms they could use to protect their rights. Discrimination can take the form of revealing (or threats to reveal) a person's sexual orientation to one's employer which would result in termination from the job (or non-hiring if during the recruitment stage) or harassment by other employees. The practice of terminating lesbians and bisexual women "when information about their sexual orientation becomes known to colleagues and employees" is widespread, which means that women often hide their sexuality at work.<sup>188</sup> Furthermore, "masculine presenting women who have higher education are forced to look for lower paid jobs in sales and service... [that] do not require intensive face-to-face job interviews."<sup>189</sup> Trans people encounter specific difficulties. A study conducted among several post-Soviet countries (including Ukraine) indicated that 73% of surveyed transgender individuals had problems finding employment, and 37% had faced "unbearable" working conditions due to blackmail, physical violence, threats, and bullying because of their gender identity or gender expression.<sup>190</sup> In addition, trans people who do not have identity documents that correspond to their gender expression face rejection during the recruitment process and are often forced to take on informal and low-paid jobs that do not legal documents.

**Sexual harassment**, a particular form workplace discrimination that can also be characterized as gender-based violence, is latent in Ukraine due to the fact that it is not well-understood and a taboo subject. Despite the fact that the Law on Ensuring Equal Rights and Opportunities for Women and Men includes a definition of this type of violence ("sexual acts expressed verbally [threats, intimidation, indecent remarks] or physically (touching, slapping) which humiliate or insult persons who are in labor relations, work, financial or other jurisdiction"<sup>191</sup>), victims are often reluctant to report sexual harassment. There are very few judicial decisions on the issue, partly due to the low number of cases but also because of the lack of jurisprudence on the type of evidence required to prove a case. There are no publicly-available statistics about sexual harassment cases, and population surveys on the subject were not found during this gender analysis process. Interestingly, in 2016, after Anastasiia Melnychenko, an NGO leader, made a post on Facebook using the hashtag #ЯНеБоюсьСказати (#Iamnotafraydtospeak) about her experiences with sexual harassment beginning in childhood and continuing to adulthood, she received hundreds of comments from women sharing similar stories.<sup>192</sup>

Women who work in the private sector and who have experienced employment discrimination generally perceive that upper management is aware of the problem either completely or to some extent (54% of survey respondents), but they are largely of the opinion that management does not take significant efforts to eliminate it (79% of respondents gave this answer).<sup>193</sup> Not only does employment discrimination limit the economic opportunities for those against whom it is directed, but firms or organizations that have the reputation unequal treatment are not able to attract or retain talented employees. The Ukrainian Corporate Equality Index, described below, is an example of an initiative that gives firms a positive incentive to eliminate discrimination in order to increase their competitiveness.

<sup>188</sup> Legalife-Ukraine, Insight, Positive Women, and Svitanok, *Shadow Report on the situation of women who use drugs, women living with HIV, sex workers, and lesbian, bisexual women and transgender people in Ukraine*, (2017), 13.

<sup>189</sup> Ibid.

<sup>190</sup> Insight, *Shadow Report on the Situation of Lesbian, Bisexual Women, Trans People and Intersex People in Ukraine*, (Kyiv, 2017), 6,

<sup>191</sup> Article 1.

<sup>192</sup> Veronika Melkozerova, "#IamNotAfraidtoSayIt hashtag campaign helps Ukrainians come to terms with sexual abuse," *Kyiv Post*, 8 July 2016, 15.

<sup>193</sup> GfK, *Gender Equality Baseline Study*, (Embassy of Canada in Ukraine, 2017).

## The Ukrainian Corporate Equality Index

In 2014, the All-Ukrainian Charitable Organization Fulcrum, working with several partner organizations, established the Corporate Equality Index<sup>194</sup> as a tool to improve how Ukrainian companies can adapt their workplaces to European standards. The index is a national survey of corporate policies, rules and practices that prohibit discrimination within private companies while also considering the extent to which the firms encourage equality and diversity.

The index consists of 20 total criteria, divided into three categories: (1) equal rights of men and women in the workplace; (2) anti-discrimination based on sexual orientation and gender identity; and (3) human rights provisions for people with disabilities. Each criterion is assigned a value (from 10-30 points) and includes indicators.

From 2015 to 2016, the number of companies participating in the index assessment doubled (to 151 firms- about half of which are Ukrainian), and for the first time, state institutions joined (the Ministry of Economic Development and Trade, Ministry of Health and Ukrzaliznitsia [Ukrainian Railways]).<sup>195</sup> The increased engagement in the index suggests that the private sector is ready to combat discrimination in the workplace, including by improving their own internal policies and procedures.<sup>196</sup> The Corporate Equality Index serves several purposes. It showcases firms that are promoting equality through success stories and provides a tool that the public can use to assess companies as places of employment and also to support as customers. Through engagement with the index, several hundred human resources managers have been trained in how to implement equality policies in the workplace.

Finally, women managers in the private sector have a greater tendency to hire female employees as they are less likely to view other women as a “liability” in terms of potential maternity and childcare leaves. Thus, encouraging female entrepreneurship is a means to expand the job market for women but also to overcome some forms of entrenched discrimination.

## Entrepreneurship and the business climate

USAID/Ukraine supports programs to improve the business environment and encourage the growth of small and medium enterprises (SMEs). The number of registered businesses in Ukraine declined from 2010 to 2015, but the vast majority of private enterprises are, in fact, not SMEs but micro level enterprises (83% of all registered enterprises, or 284 241 micro enterprises in 2015).<sup>197</sup>

The classification of micro enterprises, SMEs and large enterprises in Ukraine is based on two criteria: the average number of employees during the reporting period (the calendar year) and the amount of income generated during the same period, estimated in Euros and determined at the average annual rate of the National bank of Ukraine in UAH as described in the table below.

<sup>194</sup> Corporate Equality Index: <https://cei.org.ua/en/>

<sup>195</sup> *The Ukrainian Corporate Equality Index 2016*.

<sup>196</sup> International Renaissance Foundation, “Corporate Equality Index 2016,” 30 November 2016, accessible from: [http://www.irf.ua/en/allevvents/news/index\\_cor\\_2016/](http://www.irf.ua/en/allevvents/news/index_cor_2016/).

<sup>197</sup> State Statistics Service of Ukraine, *Діяльність Суб’єктів Великого, Середнього, Малого та Мікронідприємництва [Activity of Large, Middle-Size, Small and Micro-Entrepreneurship Entities]*, (Kyiv, 2016), 95.

**Table 1. Classification of Enterprises in Ukraine**

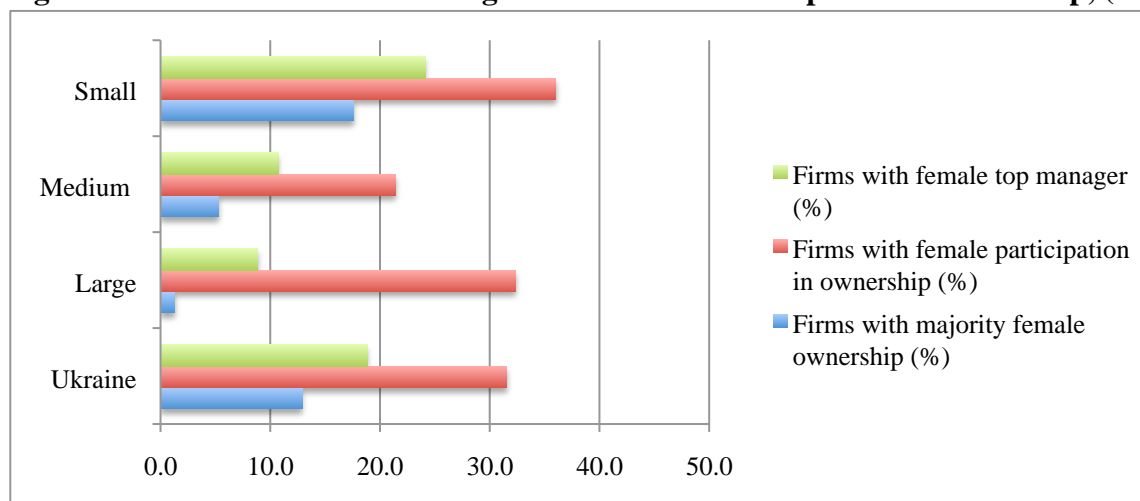
Category of enterprise	Average number of employees	Annual turnover
Individual entrepreneurs and micro enterprises	Less than 10	Not exceeding the equivalent of 2 million Euros
Small enterprises	From 10-50	Not exceeding the equivalent of 10 million Euros
Medium enterprises*	From 51-250	Not exceeding the equivalent of 50 million Euros
Large enterprises	More than 250	Exceeding the equivalent of 50 million Euros

\*The law defines any enterprise that does not fit in the category of “small” or “large” as a medium enterprise.

Source: Article 55(3), Commercial Code of Ukraine.

There is no formal definition of a “women’s business” or “female entrepreneurship” in Ukraine, but organizations with projects on this subject, such as the European Bank for Reconstruction and Development, tend to use expansive criteria that include both firms with female participation in ownership (51% or greater) and/or enterprises that employ a majority of women.

Understanding how women have engaged in entrepreneurial activities is complicated by the fact that administrative sex-disaggregated data on registered business owners in any size of enterprise is collected at the regional or municipal level but is not integrated for the country as a whole. Enterprise survey data (conducted most recently among 1 002 firms in 2013), indicate that women are well-represented as employees in the private sector, but they have encountered barriers to leadership and management roles. Women’s engagement as both business owners and managers is greatest in the smallest enterprises, as indicated in Figure 8.<sup>198</sup> Most female entrepreneurs operate at the small, micro and individual levels. Notably, while women account for 38% of the full-time workforce in large firms,<sup>199</sup> they manage less than nine percent and are the majority owners of less than two percent of firms of this size.

**Figure 8. Firms with Female Managers and Female Participation in Ownership, (2013)**

Source: World Bank Group. Enterprise Surveys data for Ukraine (2013).

Significantly, from 2008-2013, the rates of female participation in both top management and ownership declined significantly, bringing the levels to below or at par with international levels

<sup>198</sup> Note that the World Bank classifies enterprises differently from the Ukrainian law: small firms employ from 5-19 people; medium firms employ from 20-99 people, and large firms have 100 or more employees.

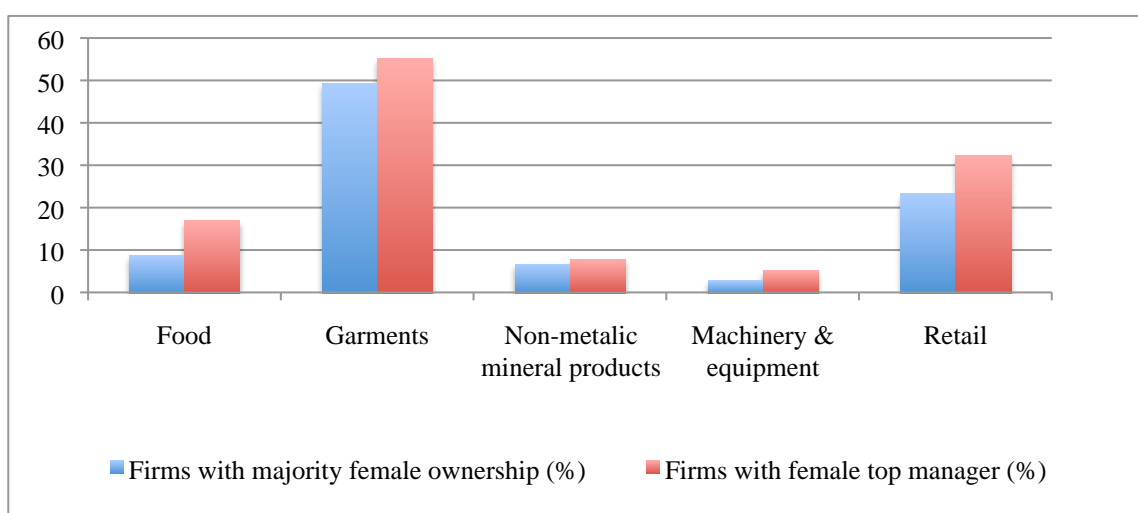
<sup>199</sup> Enterprise Survey data for Ukraine (2013), accessible from <http://www.enterprisesurveys.org/data/exploreeconomies/2013/ukraine#gender--size>.

(whereas they had once been higher than the average for the Europe and Central Asia- ECA-region).<sup>200</sup> At the same time, the proportion of women in the private sector workforce also declined, but the level remains higher than the average for the ECA region.

Enterprise survey data also reveal some regional differences in women's entrepreneurship both as business managers and owners, most significantly between the Eastern and Western parts of the country. Women are much more likely to manage firms in the East (22% of all firm managers were women, as compared to 11% in the West) and to be the majority owners (14% in the East and 9% in the West).<sup>201</sup> Women are more likely to occupy top management positions in large cities than in small towns (41%, compared with 37%).<sup>202</sup>

Entrepreneurship in Ukraine exhibits patterns of horizontal gender segregation, similar to that of the labor market as a whole, in which women's business are limited to a more narrow range of activities than men's. At the SME and large enterprise level, women represent the majority owners of almost half the firms in garment manufacture (49%) and almost a quarter in the retail sector (23%).<sup>203</sup> These sectors can also be considered "female dominated" in terms of top management. In contrast, "male dominated" sectors include manufacturing of machinery and equipment and non-metallic mineral products (e.g. cement, ceramics, glass). See Figure 9.

**Figure 9. SMEs and Large Firms with Female Managers and Majority Female Ownership, by Business Sector, (2013)**



Source: World Bank Group. Enterprise Surveys data for Ukraine (2013).

Women owners of small businesses first tended to enter sectors that had not been developed during the Soviet period, especially services (e.g. dress making, hairdressing, catering, real estate, medical services, child and elderly care, tutoring and educational services, housecleaning, accounting and auditing, and petty trade). Male entrepreneurs at the SME level are represented in information technology (IT), construction, engineering services, transport services (for example, car repair, taxi services, gas stations, freight transport), agribusiness and manufacturing. Figure 10 below depicts

<sup>200</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 70.

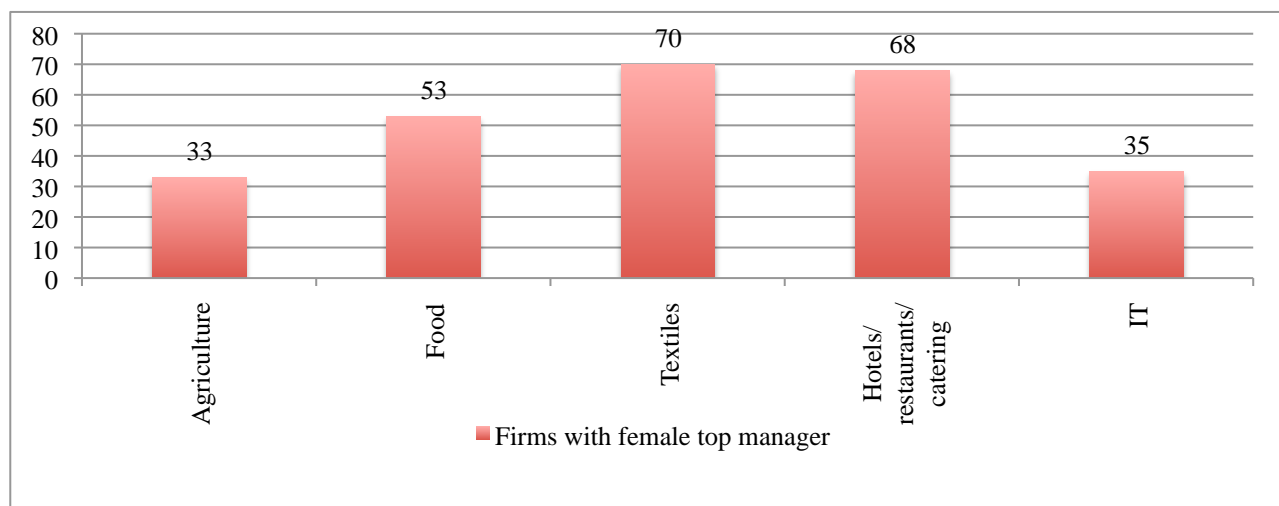
<sup>201</sup> Note that the data are not further disaggregated by oblast. Enterprise Survey data for Ukraine (2013), accessible from <http://www.enterprisesurveys.org/data/exploreeconomies/2013/ukraine#gender--location>.

<sup>202</sup> GfK, *Gender Equality Baseline Study*, (Embassy of Canada in Ukraine, 2017).

<sup>203</sup> Enterprise Survey data for Ukraine (2013), accessible from: <http://www.enterprisesurveys.org/data/exploreeconomies/2013/ukraine#gender--sector>.

the results of a recent enterprise survey conducted among SMEs. Note the findings of a survey conducted in 2016 suggest that women's representation in upper management has increased since 2013, although the changes could also be attributed to the use of a differing methodology and sample (including the size of the firms).

**Figure 10. SMEs with Female Managers, by Business Sector, (2016)**



Source: GfK, *Gender Equality Baseline Study*, (Embassy of Canada in Ukraine, 2017).

Female sole proprietors outnumber male sole proprietors in general (53% as compared to 47%), and some sectors- such as trade- reveal even greater gender imbalances (70% of sole proprietors in the trade sector are women).<sup>204</sup> Male entrepreneurs who are engaged in trade tend to own medium-sized enterprises (supermarkets, for example).

As a rule, female entrepreneurs have entered markets with which they are familiar and already have skills, often building a business from a former hobby. But they are also in sectors that are often labor intensive, closely connected to the local community, and which are saturated markets without as many long-term prospects. This is one reason why, on average, “female-run enterprises, compared to their male-managed counterparts, remain smaller and consistently less profitable, regardless of sector, size, and turnover.”<sup>205</sup>

To understand the challenges that women face in the context of entrepreneurship, it is useful to consider the broader circumstances of their motivations for starting a businesses. Women mainly turned to business out of necessity when the collapse of sectors in which they worked (state enterprises, collective farms, public services) caused high female unemployment in the 1990's.<sup>206</sup> At first, women registered as entrepreneurs “for social security and insurance purposes,” connected to pension payments, for example.<sup>207</sup> Later, women were increasingly motivated to start a business by the desire for independent employment, a means to “escape” from discrimination in the labor market, and for the greater flexibility that self-employment gives for balancing work and family life. Men tend to be motivated to start a business when they see opportunities in the market, but given the high levels of male unemployment in certain regions, especially Eastern Ukraine, it is likely that entrepreneurship offers a means of survival for both men and women.

<sup>204</sup> International Financial Corporation, *Investment Climate in Ukraine as Seen by Private Businesses*, (Kyiv, 2011), 93

<sup>205</sup> Ibid.

<sup>206</sup> Andrea Spear et al., *Gender Analysis of the EU AA/DCFTAS with Georgia, Moldova and Ukraine*, (Stockholm: Indevalop, 2016), 57.

<sup>207</sup> Ibid.



Male and female entrepreneurs at the SME level encounter many of the same constraints in terms of the business environment, but specific obstacles are more intense for women and others for men. For example, a 2015 survey of SMEs on the business climate in Ukraine conducted in four oblasts found that female and male entrepreneurs (both individual entrepreneurs and small businesses) identified similar barriers to doing business, but women highlighted the following obstacles to a greater degree than men<sup>208</sup>: the unstable political situation, not enough demand for products or services, the problem of liquidity and lack of working capital, and high levels of competition.<sup>209</sup> Women's concerns reflect the fact that their businesses are often in saturated markets and their size and profitability limits the cash flow that they have available to invest in assets. The obstacles that business men cited much more frequently than women in all regions included macro level issues—war in Eastern Ukraine, corruption and inflation. These concerns may reflect the differing spheres where men have business ventures or the fact that women are more risk adverse and so focus greater attention on issues that have a more direct impact on the day-to-day operation of their business. A more recent survey highlighted a few other differences and some that are consistent with the above-mentioned survey. Women SME managers much more frequently identified the following as hindering their business: lack of support from the government and local authorities, lack of support from industry associations, difficulties delivering good to customers and with logistics and difficulties in defining a target/consumer for their goods and services as well as trouble accessing them.<sup>210</sup> Male business managers more frequently highlighted the following hindrances: limited access to capital and/or credit and lack of a qualified workforce. These differences are attributable to the fact that men are more active in business development and the fact that “male” enterprises tend to hire more men employees than women. Additionally, the issues of logistics (delivering goods) and defining the target consumer are characteristic for food and textile production which are sectors in which women dominate as managers.<sup>211</sup>

Due to differences in the size and type of women's businesses, as well as other indicators of gender inequality, the impact of constraints to doing business are felt differently by women and men. Because female entrepreneurs are generally concentrated at the lower end of value chains (for example, in primary production), they “may face more challenges to cope with the increased costs of complying with stricter food hygiene and other product standards. They also have less leverage in terms of access to finance, technology, infrastructure, expertise, etc.”<sup>212</sup> Although female-managed enterprises generally face fewer inspections than those managed by men (the exception is for inspections by the sanitary service), among sole proprietors, women's businesses are inspected more often.<sup>213</sup> For individual entrepreneurs, dealing with bureaucracy can be especially time-consuming, and the costs of compliance with regulations can be high for women who have less access to expertise, technologies and infrastructure.

Other barriers that female entrepreneurs highlight include corruption (the need to pay bribes), a lack of personal connections “in high places” and lack of government support, difficulties finding

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<sup>208</sup> These difficulties represent those that women identified almost twice as often as men, although they are still among the top ranking issues that male entrepreneurs face. For instance, in Vinnytska oblast, 44% of female entrepreneurs identified low demand as a problem as compared with 29% of male entrepreneurs. In Lviv oblast, 25% of female entrepreneurs and 14% of male entrepreneurs listed the problem of lack of liquidity.

<sup>209</sup> East Europe Foundation, *Щорічна оцінка ділового клімату в Україні: 2015 рік* [Annual assessment of the business climate in Ukraine: 2015], (Kyiv, 2016), 138, 152, 167, 181.

<sup>210</sup> GfK, *Gender Equality Baseline Study*, (Embassy of Canada in Ukraine, 2017).

<sup>211</sup> Ibid.

<sup>212</sup> Andrea Spear et al., *Gender Analysis of the EU AA/DCFTAS with Georgia, Moldova and Ukraine*, (Stockholm: Indevalop, 2016), 61.

<sup>213</sup> International Financial Corporation, *Investment Climate in Ukraine as Seen by Private Businesses*, (Kyiv, 2011), 93

qualified and talented staff in the local labor market, and market challenges.<sup>214</sup> Again, such issues also place limitations on male entrepreneurs, but women in business are less likely to be able to draw on personal networks to overcome them. Access to business and trade networks and communication with partners (domestic and foreign) and clients are areas that female entrepreneurs cite when asked about the knowledge and skills they need to take advantage of business opportunities.<sup>215</sup> Women also note the importance of family support and encouragement in terms of their success which contrasts to a lack of support given by society as a whole to women in business.

Perhaps one of the most critical limitations on women entrepreneurs is the lack of access to finance for small businesses. It is interesting to note that in studies of the business climate, men more often than women cite limited availability of loans as an obstacle.<sup>216</sup> This finding unlikely means that male business owners face more constraints to receiving financing but it is related to the fact that male entrepreneurs are more interested in and ready to develop their businesses. According to an interviewee who works in the area of business development, some of the support that female entrepreneurs need is guidance on how to move from a sole entrepreneur to an enterprise and, then, how to overcome fears about loss of control when expanding the business and having to delegate authority. Furthermore, on average, male-led businesses are larger, have higher turnover and collateral that can be used for business loans, if they are available. In contrast, women who want to grow their businesses tend to have less access to economic resources, such as real estate, equipment and other forms of property that could be used as collateral for business loans, and so they face specific constraints in receiving finance. Donor-supported projects to increase women's access to microcredit in Ukraine are viewed as effective and also an area for expansion. It would also be useful to more carefully assess gender-based barriers, and differences, to receiving business loans and credit and whether there is a need to expand microcredit for men as well as women.

There is a need to increase support for female entrepreneurship from the side of the government and financial institutions. The SME Policy Index score for Ukraine for the joint indicator on “entrepreneurial learning and women's entrepreneurship” showed positive progress between 2012 and 2016 (when the score increased from 1.65 to 2.25).<sup>217</sup> The score was still lower, however, than the average for the Eastern Partnership countries<sup>218</sup> combined. Furthermore, while several sub-indicators (such as “policy support framework for promotion of women's entrepreneurship” and “women's entrepreneurship training” received scores of 2.00 and above, the area of “institutional support for policy improvement in women's entrepreneurship”) received a score of only 1.50.<sup>219</sup>

### *Agricultural enterprises*

USAID/Ukraine recognizes the potential role that agribusinesses could play in improving economic growth. Both women and men are engaged in diverse forms of agricultural production, as farmers and as business owners, but there are also gender-based differences in access to productive resources, and in status, that have a bearing on future programming.

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<sup>214</sup> John Johnson, Edward Garten and Svitlana Buko, “Barriers to Successful Entrepreneurship for Women in Ukraine,” *Studies of Changing Societies Journal*, Vol. 4(10), 2013, 90-104, 99.

<sup>215</sup> Andrea Spear et al., *Gender Analysis of the EU AA/DCFTAS with Georgia, Moldova and Ukraine*, (Stockholm: Indevalop, 2016), 66.

<sup>216</sup> See, e.g., East Europe Foundation, *Щорічна оцінка ділового клімату в Україні: 2015 рік* [Annual assessment of the business climate in Ukraine: 2015], (Kyiv, 2016) and GfK, *Gender Equality Baseline Study*, (Embassy of Canada in Ukraine, 2017).

<sup>217</sup> Organization for Economic Co-operation and Development (OECD) et al., *SME Policy Index: Eastern Partnership Countries 2016: Assessing the Implementation of the Small Business Act*, (Paris: OECD Publishing, 2016), 23.

<sup>218</sup> Armenia, Azerbaijan, Belarus, Georgia and the Republic of Moldova.

<sup>219</sup> OECD et al., *SME Policy Index: Eastern Partnership Countries 2016: Assessing the Implementation of the Small Business Act*, 40.

In Ukraine, most agricultural enterprises (75%) are private farms; there were 39 428 private farms in 2014.<sup>220</sup> Sex-disaggregated data about male and female ownership of private farms varies by source, and terminology is not always clear. For example, terms, such as “registered business owner,” “farm manager,” “farmer,” “head of farm,” or “landowner” all have distinct meanings and could generate differing information in surveys or other forms of administrative data-collection. The lack of clarity makes it difficult to determine precisely how women are positioned in agribusiness. In brief, there are several arrangements in rural areas: people may own land but lease it to others who farm the land, people may own and work the land, or they may not own farm land, as a business, but cultivate their own household land plots.

According to a USAID-supported gender analysis, in 2011, women represented “one-third of...132 000 registered farmers,” and 70% of “heads of farms” (meaning, farm managers) were men.<sup>221</sup> More recent data, however, show a different picture- women head less than a fifth of private farms in Ukraine (data vary from 18%-20%).<sup>222</sup> Women operate only one tenth (11.4%) of all the large- and medium-sized agribusinesses.<sup>223</sup> The average size of a female-headed farm is 1.87 hectares, as compared to 8.98 hectares for a male-headed farm.<sup>224</sup>

Considering the characteristics of private farms, those headed by women and men have a comparable percentage of arable land, but women-led farms hire fewer workers and have considerably lower incomes from the sale of agricultural products, most likely due to their smaller size. In terms of profitability, however, female- and male-led private farms show similar outcomes (measured as level of agricultural activity- 27.3% for female-headed farms and 29.9% for male-headed farms).<sup>225</sup> Measured per farm, female-led enterprises were more likely to receive funds through government subsidies in 2014.<sup>226</sup>

Detailed data disaggregated by the sex of the farm owner, such as about ownership of and access to agricultural machinery and equipment (for example, tractors, sowing machines, mowing machines, etc.) and agricultural inputs (such as new varieties of seeds, fertilizers, irrigation equipment, as well as livestock, would help to provide a more comprehensive picture of the status of female and male farm owners and the potential difficulties they face. Such sex-disaggregated statistics are not available in official publications of the State Statistics Service.

It is also important to consider the contribution women make more broadly to agriculture in Ukraine, beyond formal business ownership or management. The land plots of rural households, or family farms, can be used for personal consumption or excess agricultural products may also be sold. This type of agricultural activity is distinct from agribusiness due to its informal character. Of all rural households, 51.3% are headed by women, with the average female age of 62 and male age

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<sup>220</sup> State Statistics Service of Ukraine, *Agriculture of Ukraine 2014*, (Kyiv, 2015), 49.

<sup>221</sup> Data were provided by the Ministry of Agrarian Policy and Food of Ukraine and from the Baseline Survey on Awareness of Land Ownership Rights and Access to Finance and Agriculture Market Infrastructure for Small and Medium-Sized Agriculture Producers Survey. Chemonics International Inc., *Gender Analysis: Opportunities to Strengthen Family Farms and the Agriculture Sector in Ukraine*, (2013), 21, 26.

<sup>222</sup> See Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (Eighth Periodic Report)*, (Ukraine, 2016), 22 [citing women’s ownership of 18.4% of private farms in 2014] and State Statistics Service of Ukraine, *Agriculture of Ukraine 2014*, (Kyiv, 2015), 152 [women headed 6 484 of 32 133 private farms- 20.2% in 2014].

<sup>223</sup> Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women*, 22.

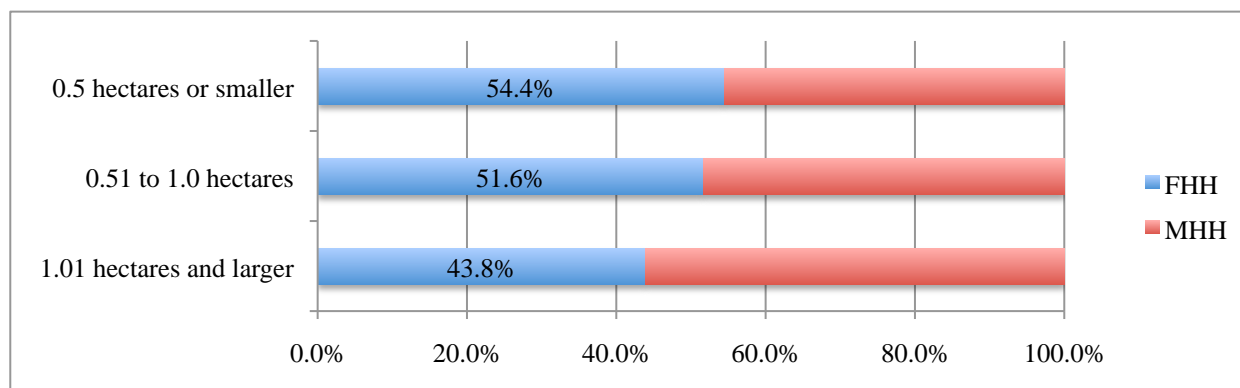
<sup>224</sup> Ibid.

<sup>225</sup> State Statistics Service of Ukraine, *Agriculture of Ukraine 2014*, (Kyiv, 2015), 152.

<sup>226</sup> Ibid.

of 55.<sup>227</sup> It is estimated that rural agricultural households headed by women use 16.8% of total land plot area, while male-headed households occupy the remaining 83.2% of the land.<sup>228</sup> Indeed, female-headed households are more likely to have smaller plots of land (no more than half a hectare) as compared to male-headed households, as illustrated in Figure 11 below.

**Figure 11. Rural Female- and Male-Headed Households by Land Area (2014)**



Source: State Statistics Service of Ukraine, *Main Agricultural Characteristics of Households in Rural Area in 2014*, (Kyiv, 2014), 65.

There is close to gender parity in the size of cultivated land area for rural households headed by women and men (an average of 0.89 hectares for women and 1.33 hectares for men), but women encounter more pressures to sell their land at low prices in the face of privatization and the growth of agribusiness, as they have limited other sources of income.<sup>229</sup> Informants to a gender assessment reported that if women are not registered farm owners they tend to lease their land to local small and medium farms, and that some older and impoverished women have become victims of “land-hunting monopolists who extract long-term lease agreements of 49 years.” Such women are vulnerable due to their limited negotiating power, lack of other income-generating alternatives, and limited means to protect their rights, and thus “many women continue to work on their individual household land plots, and collect rents, rather than working on their own land, because they lack the financial, technological and physical capacities to cultivate their land themselves.”<sup>230</sup>

In terms of the roles of men and women in agricultural production, women make up a quarter of total employees on private farms (around 24 500 individuals- a figure that has remained relatively steady for the past decade).<sup>231</sup> It should be kept in mind, however, that 39% of informal work takes places in the agricultural sector; this is the largest informal employer in Ukraine. In 2015, 92% of the rural population that was engaged in informal work had the status of self-employed persons.<sup>232</sup>

<sup>227</sup> State Statistics Service of Ukraine, *Основні Сільськогосподарські Характеристики Домогосподарств у Сільській Місцевості в 2014 році* [Main Agricultural Characteristics of Households in Rural Area in 2014], (Kyiv, 2014), 65, 66.

<sup>228</sup> Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women*, 22.

<sup>229</sup> Women’s and human rights organizations on the initiative of the Gender Strategy Platform, *NGO Alternative Report on Ukraine’s Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women*, 22.

<sup>230</sup> Chemonics International Inc., *Gender Analysis: Opportunities to Strengthen Family Farms and the Agriculture Sector in Ukraine*, (2013), 27.

<sup>231</sup> State Statistics Service of Ukraine, *Agriculture of Ukraine 2014*, (Kyiv, 2015), 153, 339.

<sup>232</sup> State Statistics Service of Ukraine, *Доповідь, Ринок Праці у 2015 році* [Report, the Labor Market in 2015], 3, 5, accessible from: [http://ukrstat.org/uk/druk/publicat/kat\\_u/publ11\\_u.htm](http://ukrstat.org/uk/druk/publicat/kat_u/publ11_u.htm).

According to World Bank estimates, almost half of informally employed women in Ukraine work in agriculture (46.7%), and this figure is also quite high for men (35.5%).<sup>233</sup>

Official calculations of employment in agriculture take into consideration people who work for hire and are paid as well as those who work free of charge on family farms. The fact that many pension-aged women who are officially unemployed also work on farms or cooperatives (both in full time and part time work) and on household land plots for which they may earn no income, also obscures the patterns of female agricultural work. Middle-aged rural women, before pension age, can be registered as farmers themselves or they may work on family farms and also combine agricultural work with employment in state offices (such as in schools, health care centers or on village councils).<sup>234</sup>

Farm labor itself is divided along gender lines, with men taking responsibility for work to cultivate crops on large plots (wheat, corn and sunflowers, for example) and women focusing on manual work on small plots and horticulture. In livestock and dairy production, men undertake the heavier mechanized labor and are responsible for transport and logistics, while women's work is focused more on milking, milk processing and administrative tasks (such as accounting and quality checking). It is noteworthy that women's labor tends to be "nearly entirely manual" and thus it is labor intensive, time-consuming and inefficient.<sup>235</sup> Research indicates that even when households invest in machinery and equipment, the gendered division of labor usually remains intact and women rarely use machinery unless there has been a specific initiative to introduce them new ways of working.<sup>236</sup>

A related subject, but one for which no research was found when conducting this gender analysis, is how women and men are positioned along specific agricultural value chains, and where they encounter constraints. For the most part, it appears that men have roles at higher points on the value chain, such as negotiating sales or engagement in the processing of agricultural products, and women have more engagement at the production level and are less involved as traders, wholesalers or retailers. Small-scale farmers generally report that they lack alternatives other than selling their products to traders at low prices and even poor road infrastructure contributes to difficulties taking products to market.

One of the strengths of female farmers, and rural women, is their high level of education. Of rural households, 9.7% of FHH have completed higher education, and this figure is 8.2% for MHH.<sup>237</sup> In a sample survey, 75% of female farmers had special secondary (college) or university education, and among them two-thirds had specializations relating to agriculture.<sup>238</sup> While a large number of the surveyed women also participated in training activities, they were not able to access technical information that would help them to increase productivity and efficiency. They lack access to regular learning opportunities relevant to the agricultural sector (such as distance learning courses, in-service training, extension services and even access to the internet or libraries) due to lack of infrastructure, skills and even time. The survey also highlighted female farmers' need for greater

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<sup>233</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 57.

<sup>234</sup> Chemonics International Inc., *Gender Analysis: Opportunities to Strengthen Family Farms and the Agriculture Sector in Ukraine*, (2013), 22.

<sup>235</sup> Ibid, 28.

<sup>236</sup> Ibid.

<sup>237</sup> Source: State Statistics Service of Ukraine, *Main Agricultural Characteristics of Households in Rural Area in 2014*, (Kyiv, 2014), 22.

<sup>238</sup> Chemonics International Inc., *Gender Analysis: Opportunities to Strengthen Family Farms and the Agriculture Sector in Ukraine*, (2013), 23.

financial literacy and training in taxation, finances, legal registration requirements, costing and pricing, and concepts of supply and demand.<sup>239</sup>

Limited access to specialized and targeted training is exacerbated by time constraints. The time burden on female farmers, including those who work on family farms, is intense and includes household duties, farm work and “after hours” administrative work, such as dealing with taxes or accounting. Thus, despite their educational backgrounds, women farmers “tend to resist new ideas proposed for the farming and cooperative operation” and are “not enthusiastic in undertaking value-added activities and agro-processing” because they already feel overloaded with daily tasks.<sup>240</sup>

### *Financial sector development*

USAID/Ukraine work in the area of financial sector development encompasses legal and regulatory reform of the sector (as well as supporting pension reform), increasing confidence in and use of the banking system, improving the financial inclusion of vulnerable groups and increasing access to finance for SMEs (a topic which is discussed above).

Gender differences in the financial sector are mainly observed in patterns of individual **financial inclusion**. For instance, there is a small gender gap in use of bank accounts (52% of women and 54% of men had accounts at a financial institution in 2014), but a slightly larger gap in savings patterns. Only 17.9% of women and 20.8% of men had saved money in the previous year, and, of those who did save, about half of men, but only a third of women, had their savings in financial institutions.<sup>241</sup> Men and women saved for similar purposes (to cover future expenses, emergencies, old age and educational fees), with the only difference being in the number of men saving to start, operate or expand a farm or business (7.4% of men and 3% of women).<sup>242</sup>

Borrowing patterns are similar. A third of women (33%) and 39.2% of men had taken loans in 2014, with the majority (around a quarter) borrowing money from family or friends, and only eight percent of women and men borrowing from a financial institution.<sup>243</sup> Women were more likely to take loans to pay for medical expenses than men, while men more often than women borrowed to support a business venture.

Compared to the EU region, the population of Ukraine makes less use of information and communication technologies for personal finance, but data for men and women separately also indicates that men more often use internet-based payment systems, suggesting that the population as a whole could benefit from financial literacy but there is also a need to increase women’s knowledge about how to effectively manage their personal finances.

Although Ukrainian women and men assess their own **financial literacy** nearly identically (as satisfactory or even excellent) most people overestimate their understanding of finance.<sup>244</sup> Objective indicators suggest that women are less financially literate than men. For instance, they give fewer correct answers to questions on financial mathematics or on financial terms.<sup>245</sup> The results of a 2013 international assessment of women’s financial literacy in 27 countries showed

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<sup>239</sup> Ibid, 31.

<sup>240</sup> Ibid, 26.

<sup>241</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 73.

<sup>242</sup> Ibid.

<sup>243</sup> Ibid.

<sup>244</sup> Robert Bond, Alex Kutsenko and Natasha Lozitskaya, *Financial Literacy and Awareness in Ukraine: Facts and Findings*, 2<sup>nd</sup> ed., (Kyiv: USAID Financial Sector Development Project, 2010), 17.

<sup>245</sup> Ibid, 19.

Ukrainian women to be in the bottom third of countries (scoring 35.7 out of a possible 100 points for the following indicators: budgeting, emergency savings, frequency in talking to children about money, perception of young peoples' money skills, and the desired age to begin formal personal finance lessons.<sup>246</sup> Women scored less favorably than men in terms of following a household budget, and while a majority of women in the studied countries had less than three months' savings, more than 90% of Ukrainian women were in this category. As noted above, however, from 2011-2014 the proportion of women having bank accounts increased, and so their savings patterns may also have improved since that time.

From 2013-2015, USAID/Ukraine funded a sub-program (within a larger financial sector development program)- the Growth of Women's Business and Leadership Program (Go Women) with the aim to develop women's skills in managing everyday financial matters (such as preparing household budgets, applying for loans and using credit cards and banking services) and to increase their competence to start or operate small businesses. The Go Women program had a focus on two groups: women considered vulnerable and those who own micro- and small- enterprises. Vulnerable women were defined as those who are typically considered "unbankable"- such as widows, mothers of many children, single mothers, orphans, pensioners and rural women.<sup>247</sup> Working in cooperation with four Ukrainian NGOs, a large number of trainings (including trainings of trainers), webinars, and consultations were conducted for close to 6 000 female beneficiaries. It would be useful to conduct some follow-on monitoring, especially with female entrepreneurs, to understand the long-term impacts of the project. An expert working in the area of business development who was included in this gender analysis characterized women as especially eager to learn financial skills and noted that there women's financial literacy programming has been especially effective in closing the gender gap.

Due to instability in the country as a whole, there are groups of "newly vulnerable" women who may not have been included in earlier programming who would benefit from increased financial literacy. These include female IDPs, especially those who have become *de facto* heads of households, wives of labor migrants, women from ethnic minority groups, such as Roma women, women with disabilities, women who are survivors of domestic violence, as well as women nearing retirement age who may be effected by on-going pension reform. Trainings that target the needs of specific populations would be useful, for example, the high rates of illiteracy among Romani women suggest that courses on numeracy could be needed.

In light of on-going **pension reform** which is incrementally increasing the retirement ages for both women and men as well as the length-of-service requirement, there may be a particular need to support financial literacy projects for women nearing retirement age and the elderly. Statutory retirement age in Ukraine is 58 for women and 60 for men. Effectively, the average age at which women and men leave the labor market is 55.9 and 58.1 years, respectively, which is considerably lower than the EU average.<sup>248</sup> Under reform programs, it is planned that the ages will increase to 60 years for women by 2021 and 62 for men. Historically, women's earlier retirement age and lower wages has contributed to a sizable gender gap in pensions: 30.7%, with women's average old age pension 1 252 UAH compared to 1 806 UAH for men (in 2013).<sup>249</sup> Given their longer life expectancies, the gender gap in old-age pension leaves older women vulnerable to poverty. Gender equality in pension schemes must, therefore, consider not only equalizing the retirement age but also how to adjust for women's longevity.

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<sup>246</sup> Visa's International Barometer of Women's Financial Literacy, 2013, 1.

<sup>247</sup> Financial Markets International, Inc., *FINREP-II Final Report*, (Washington, DC, 2015), 45.

<sup>248</sup> Damiano Sandri et al., *Ukraine Selected Issues*, (Washington, DC: International Monetary Fund, 2017), 20.

<sup>249</sup> Ukrainian Centre For Social Reforms/UNFPA, *Situation of Older Women in Ukraine. Analytical Report*, (Kyiv, 2014), 139.



Given what is known about women's financial literacy, it is also possible that differences in pension outcomes can be attributed, at least in part, to women's decision-making about retirement and management of finances. It could not be determined during this gender analysis whether studies have been conducted in Ukraine about women's understanding of changes to the pension scheme, knowledge of financial planning for retirement or even how much their employers are contributing to work-based pension programs.

Pension reform in Ukraine is driven by a need to overhaul a system that is not sustainable. At present the pension system is in deficit and actual old-age pension payments are modest. While the long-term impact may be of benefit to women, there is no clear indication that the pension reform process itself is gender sensitive or is driven by a goal to combat women's poverty in old age. Pension reform programs should support data collection and the use of gender analysis to ensure that women are treated fairly under the process and that their economic security is a focus.

Complementary to training and capacity-building for women, there is a need to change the financial services environment so that it is more responsive to the needs of female customers, rather than focusing its financial products and outreach only on men. The above-mentioned Go Women program originally conceived of projects such as the development of a credit line for female entrepreneurs that would include an educational component on cash management and business development, but they were not fully implemented. Indeed, other programs have also faced difficulties in working with financial institutions in Ukraine to improve financial products (such as microcredit) for women, due to "passivity" of the market.

### *Energy security*

Energy inefficiencies, out-dated infrastructure and poor governance of the sector contribute to Ukraine's dependence on energy imports. Developing local and renewable energy sources would help to decrease the country's dependence. USAID/Ukraine works to improve the regulatory framework and supports the implementation of fair and transparent gas and electricity prices.

Most of the Ukrainian population uses natural gas as a household energy source, and only five percent of all households use solid fuels for cooking. The use of solid fuels (mainly wood, followed by coal) is characteristic of rural households (11.9% of such households use solid fuels for cooking, as compared to 2.4% of urban households).<sup>250</sup> In rural areas, unreliable energy supply is a specific challenge for farming households, which must often make their own arrangements by purchasing electricity generators and gas in tanks.<sup>251</sup> Poor rural households, including female-headed households, may not have the financial means to overcome energy deficiencies.

While energy inefficiencies impact entire populations, it is still possible to assess the gender-specific affects at the household level. Unfortunately, however, there have been no national studies of how gender is implicated in energy use or energy reform projects in Ukraine.

The absence of time-use studies also complicates the analysis of energy consumption patterns in households, and it is difficult to ascertain how women manage in energy-poor households or the benefit they would experience from improved access to energy.

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<sup>250</sup> State Statistics Service of Ukraine and Ukrainian Center for Social Reforms, *Ukraine Multiple Indicator Cluster Survey 2012, Final Report*, (Kyiv, 2013), 77.

<sup>251</sup> Chemonics International Inc., *Gender Analysis: Opportunities to Strengthen Family Farms and the Agriculture Sector in Ukraine*, (2013), 25.

It is also unclear to what extent energy consumers are satisfied with current energy prices and prepared for changes, as well as whether there are gender differences, including differences based on whether the household is female-headed or male-headed. Most mass media is focused on male customers and participants, most likely based on their traditional role as the breadwinner who makes financial decisions for the household, but this approach has the potential to alienate female consumers and ignore them as a customer base.<sup>252</sup> Furthermore, outreach only to male energy consumers will not address the needs of some particular groups of women who are at greater risk for impoverishment, including elderly women, single mothers, and IDPs.

Women's participation in decision-making about energy use and energy reform also depends on gender roles and the influence of stereotypes, at the household level as well as in local and national authorities. There are very few women working in the field of energy efficiency at the municipal level, which leads to potential missed opportunities for women's inputs and innovations.<sup>253</sup> On the other hand, women are well represented in the energy sector as employees. Of the workforce of KievEnergo, 31.8% are women, and 60% of the engineers are female; women represent only 18% of management, however.<sup>254</sup>

Civil society engagement may provide another means for women to have a voice in energy reform. For example, the European-Ukrainian Energy Agency (EUEA), an independent NGO that monitors the strategic energy partnership between the EU and Ukraine, runs an Energy Club for women which is described as a means to "reduce level of corruption, improve understanding of energy efficiency and increase the implementation of renewable energy supply."<sup>255</sup> Through their leadership in CSOs, there is a role for women as change agents in introducing efficient, clean and renewable energy projects in their communities.

There is also a growing number of young energy activists and "green entrepreneurs" in Ukraine working on energy efficiency and innovations. This is an area where there is potential for inclusion of female entrepreneurs.

## HEALTH

As noted in the introduction to this report, under its new CDCS, USAID/Ukraine aims to support the development of a transparent health system, with a particular focus on ensuring that specific at-risk populations, those at risk for HIV/AIDS and TB, are able to access the services of a health care system that meets their needs. Responding to the issues identified by the Mission, this analysis focuses on rather narrow topics (for example, reproductive health and family planning are not covered) and the gender issues that they implicate.

### *Basic indicators of healthy lifestyles for women and men*

The average life expectancy in Ukraine is among the lowest in Europe and is partially correlated with a deterioration of the health care system during the transition period. The difference between female and male average life expectancies at birth is considerable- differing by ten years (66.37

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<sup>252</sup> Slovak Energy, *Gender and Inclusive Development Analysis, Energy Efficiency in Ukraine, Emerging Donors Challenge Fund*.

<sup>253</sup> Ibid.

<sup>254</sup> Michael Cain, Clare Novak and Courtney Owen, *Engendering Utilities: Improving Gender Diversity In Power Sector Utilities*, (Washington, DC: Engility Corporation, 2016), 14.

<sup>255</sup> European-Ukrainian Energy Agency, "EUEA refreshing its Focuses in Energy sectors and Geographically," 20 January 2017, accessible from: <http://euea-energyagency.org/en/news-and-events/euea-accomplishments-and-operations/1399-euea-refreshing-its-focuses-in-energy-sectors-and-geographically>.

years for males and 76.25 for females).<sup>256</sup> Life expectancies are lower than the national average for both women and men living in rural areas (by one year for women and almost two years for men). There are also regional differences, most notably Ukraine exhibited an East-West divide in life expectancy even before the conflict (with men's life expectancy in the East 4.9 years lower than those in the West, and 4.4 years for women).<sup>257</sup>

Some element of men's lower life expectancy is due to their biological makeup, and this pattern is typical for developed countries. In Ukraine, though, the gender gap in mortality that disfavors males is a cause for concern. Not only are the largest gender disparities seen in the working age group (the male death rate exceeds the female rate by more than three times in the 20-29 age group), but the higher male death rate is closely associated with preventable causes (for example, injury, [alcohol] poisoning and suicide).<sup>258</sup> Men's shorter healthy life expectancies are closely correlated with the fact that they undertake risky behaviors but also exhibit a lack of health-seeking behavior. Gender norms and societal expectations for men, as the primary providers for their families, put pressures on them that can, in turn, lead to taking on stressful and dangerous employment, adopting unhealthy diets, and abusing drugs, alcohol or tobacco.

According to the World Health Organization, male alcohol consumption per capita is 30 liters (as compared to 11.2 for females), and the prevalence of heavy episodic drinking (defined as consuming at least 60 grams or more of pure alcohol on at least one occasion in the last 30 days) is 35.8% for the male population (but almost 50% for male drinkers) and 12.1% for the female population (19% for female drinkers).<sup>259</sup> The prevalence of alcohol dependency is four times higher among males than females, and the consequences are serious in terms of men's higher mortality rate from liver cirrhosis and road traffic accidents. Use of tobacco is also considerably higher among males than females, for both youth and adults. Close to half of adult males (42.2%) are estimated to smoke cigarettes daily, as compared to only 9.1% of adult women.<sup>260</sup> Both alcohol consumption and smoking pose serious health risks to male youth and adults, and although the state places many restrictions on alcohol and tobacco use, it has not tackled the problems of male dependency as a pressing public health concern.

It should also be noted that common stereotypes about men's use of addictive substances may cause the issue of female dependency, and the consequences to their health, to be overlooked or misunderstood. A project to reduce alcohol and tobacco use during pregnancy, for example, found that 46% of women in Ukraine reported alcohol use in the most recent months of their pregnancy and 49% of women in Poltava (the project site) reported that they live or spend time with someone with smoke around them.<sup>261</sup> Just as gender norms may influence men to adopt unhealthy behaviors, gender-related power inequalities can prevent women from negotiating for smoke-free spaces, at home or at work, and women may be dependent on others for decisions about seeking treatment, especially if they are financially dependent.

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<sup>256</sup> State Statistics Service of Ukraine population data for 2015, (excluding the occupied territories of the Autonomous Republic of Crimea, the city of Sevastopol and data calculated excluding Donetsk and Luhansk regions.).

<sup>257</sup> Adrianna Murphy et al., "A country divided? Regional variation in mortality in Ukraine," *International Journal of Public Health*, 24 March 2013.

<sup>258</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 36-37.

<sup>259</sup> World Health Organization (WHO), *Global Status Report on Alcohol and Health, Ukraine Country Profile*, (Geneva, 2014),

<sup>260</sup> WHO, *WHO Report on the Global Tobacco Epidemic, 2015, Country Profile Ukraine*, (Geneva, 2015), 2.

<sup>261</sup> Elena Novichkova, Victor Boguslavsky, and Simon Hildebeite, *Improving Alcohol and Tobacco Control during Pregnancy in Ukraine, Final Report*, (Bethesda: USAID Assist Project, 2015), 26.

## Communicable diseases: HIV and TB

Ukraine is currently facing the challenges of an HIV/AIDS and TB epidemic, and both epidemics have distinct gender dimensions.

Nineteen percent of the total number of people living with HIV (PLHIV) in the Eastern European and Central Asian region live in Ukraine, and Ukraine accounts for a quarter of all AIDS-related deaths in the region.<sup>262</sup> As of 2016, around 224 000 people with HIV are living in Ukraine, and 50% of estimated cases are concentrated in six regions: Dnipropetrovsk, Donetsk, Kherson, Kyiv (city), Mykolayiv and Odesa.<sup>263</sup>

Mortality rates, epidemiological trends and data about people living with HIV indicate that the male population is disproportionately affected. Men account for 55% of PLHIV and make up the majority of newly diagnosed cases of HIV infection as well as those living with AIDS. Data from 2013-2015 show that the percentage of men among newly reported HIV infections has been increasing. However, it is not clear whether these data (shown in Table 2) include all regions of Ukraine. The Ukrainian Center for Disease Control reported that women accounted for 47% of newly diagnosed cases in 2016 (a figure that includes both Crimea and Sevastopol<sup>264</sup>), which would represent an increase from the previous year.

**Table 2. New HIV Infections in Ukraine, Disaggregated by Sex and Year**

Year	Males		Females	
	Absolute number	%	Absolute number	%
2013	11 966	55.3	9 665	44.7
2014	10 765	55.9	8 506	44.1
2015	9 023	56.9	6 846	43.1

Source: Ukrainian Center for Socially Dangerous Disease Control of the Ministry of Health of Ukraine (UCDC), *HIV Infection in Ukraine, Information Bulletin No. 45*, (Kyiv, 2016), 27.

The epidemic is largely concentrated in key populations, but there are only partial sex-disaggregated data for specific sub-sets of male and female at-risk populations. Estimates are largely based on surveillance surveys and not official registers of HIV infection cases.

Drug use, including injection drug use, is a serious health issue for Ukraine and one that is closely associated with the HIV epidemic. HIV prevalence has increased among **people who inject drugs**—from 19.7% in 2013 to 21.9% in 2015.<sup>265</sup> Although men make up the larger share of people who inject drugs, women who inject drugs have “disproportionately high rates of HIV infection”

<sup>262</sup> UNAIDS, *Гармонізований звіт України про досягнутий прогрес у здійсненні національних заходів у відповідь на епідемію СНІДу* [Harmonized Ukraine Report on progress in the implementation of the national response to AIDS], 2015.

<sup>263</sup> Citing data from SPECTRUM, Ukrainian Center for Disease Control (UCDC), President’s Emergency Plan for AIDS Relief (PEPFAR), *Ukraine Country Operational Plan 2017 Strategic Direction Summary*, (Washington, DC, 2017), 5.

<sup>264</sup> SPECTRUM, Ukrainian Center for Disease Control (UCDC), 15 May 2016, data for 2016.

<sup>265</sup> UNAIDS, *Гармонізований звіт України про досягнутий прогрес у здійсненні національних заходів у відповідь на епідемію СНІДу* [Harmonized Ukraine Report on progress in the implementation of the national response to AIDS], 2015.

compared to men: 22.4%, compared to 18.8% in men who inject drugs.<sup>266</sup> An estimated more than 73 000 women are injecting drug users in Ukraine (or 24% of the population of those who inject drugs).

The prevalence of PLHIV is seven percent among **female sex workers**, but the prevalence has been recorded as high as 38% in Donetsk oblast and 24% in the Kyiv area.<sup>267</sup> It is important to note that widespread stigma as well as criminal sanctions mean that female sex workers who are living with HIV frequently refuse to disclose their occupation, which in turn means that statistics are not always accurate.<sup>268</sup> It is thought that women who both engage in sex work and inject drugs are at high risk for HIV transmission, but research has not supported this finding conclusively. Experts point out that women who inject drugs and are also involved in sex work are especially susceptible to self-stigmatization as they are considered to occupy the “lowest levels in the hierarchy of the sex industry;” they are more likely to agree to unprotected sex, do not have access to high quality medical care and are at risk for violence.<sup>269</sup>

HIV prevalence is growing among the population of **men who have sex with men** (MSM) in almost all regions of Ukraine. Of all HIV-positive persons registered in 2015, 27% were among MSM, with the prevalence in this group increased from 5.9% in 2012 to 8.5% in 2015.<sup>270</sup> There are no data about HIV infection rates among male sex workers or about the links between drug use and sex work in the male population.<sup>271</sup>

Incarceration has been identified as a driver for HIV transmission among people who inject drugs. **Prisoners**, the overwhelming majority of whom are male, who also inject drugs face an elevated risk of HIV infection due to the absence of prison-based therapy or treatment programs and the fact that former prisoners frequently adopt risky behaviors after incarceration.<sup>272</sup>

Data on HIV prevalence among **military servicemen/servicewomen** is not available in the public domain, but the HIV infection rate has increased considerably among mobilized reservists. The ATO zone is considered a “high risk” area for the spread of infections such as HIV, TB and Hepatitis C due to unsafe practices such as risky sexual contact without condoms, unsafe tattooing and piercings and drug use.<sup>273</sup> When a country-wide testing project was carried out among around 4 300 soldiers for Hepatitis C, it was found that the infection rate was over five percent; 59% of those tested who responded to a survey that was conducted in parallel were married or in

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<sup>266</sup> Katya Burns and Maria Dmytrieva, *Ukraine Gender Assessment*, (Washington, DC: Global Health Program Cycle Improvement Project, 2016), 5.

<sup>267</sup> PEPFAR, *Ukraine Country Operational Plan 2017 Strategic Direction Summary*, (Washington, DC, 2017), 5 and UNAIDS, *Joint UN Programme of Support on AIDS for 2012-2016*, (2012), 5.

<sup>268</sup> Legalife-Ukraine, Insight, Positive Women, and Svitanok, *Shadow Report on the situation of women who use drugs, women living with HIV, sex workers, and lesbian, bisexual women and transgender people in Ukraine*, (2017), 2.

<sup>269</sup> Liudmyla Shulga et al, *Аналитический отчет по результатам формативного исследования гендерно-ориентированных программ, проектов, интервенций и услуг в сфере снижения вреда* [Analytical report on the results of research on gender-oriented programs, projects, interventions and services in the area of harm reduction], (Kyiv: International HIV/AIDS Alliance in Ukraine, 2015), 47.

<sup>270</sup> UNAIDS, *Гармонізований звіт України про досягнутий прогрес у здійсненні національних заходів у відповідь на епідемію СНІДу* [Harmonized Ukraine Report on progress in the implementation of the national response to AIDS], 2015.

<sup>271</sup> Katya Burns and Maria Dmytrieva, *Ukraine Gender Assessment*, (Washington, DC: Global Health Program Cycle Improvement Project, 2016), 6.

<sup>272</sup> See generally, Frederick Altice et al., “The Perfect Storm: Incarceration and the High-Risk Environment Perpetuating Transmission of HIV, Hepatitis C Virus, and Tuberculosis in Eastern Europe and Central Asia,” *The Lancet*, Vol. 388, Issue 10050, 1228-1248.

<sup>273</sup> International HIV/AIDS and TB Institute (IHATI), “The third conference on topic “Prevention of Social Diseases (HIV/AIDS, TB) in the Armed Forces of Ukraine,” 2016, accessible from: <http://www.aids-institute.org/en/news.html>.

partnerships, 61% did not use condoms during their most recent sexual contact and 18% had sex with casual partners.<sup>274</sup> These figures suggest that intimate partners of combatants are at risk for infection, not only for Hepatitis C but also HIV. There have been several collaborative initiatives between the Ministry of Defense and civil society organizations to improve outreach to military personnel through informational materials and condom distribution, supported by PEPFAR. It appears that such activities target servicemen as a key population, but messages aimed at the female partners of male soldiers and servicewomen as a separate group are also needed.

The proportion of women living with HIV appears to be higher among **IDPs** than the general population, which is consistent with the greater number of women among displaced persons. Of the 1 614 people living with HIV who came to state AIDS centers from the Crimea, Donetsk and Luhansk regions as of January 2017, 48.6% were women and 51.4% were men.<sup>275</sup>

The sexual partners of people among the key populations face an increased risk for HIV transmission, and gender inequalities play a role in risk for infection and also access to treatment. Of women who inject drugs, almost all (92%) are married to or partners of a man who also injects drugs.<sup>276</sup> Although many intimate partners who inject drugs take important decisions equally, when this is not the case, it is the male role to control drug use. They generally initiate injecting drugs, procure drugs and use drugs first before injecting a female partner (thus women are usually the second person to use a shared needle). When couples who inject drugs were asked about independent decision-making, around a third of men reported to take sole decisions on buying and preparing drugs and how they are used, as compared to less than ten percent of women. A larger proportion of men (12% as compared to 5% among women) reported that they make sole decisions about treatment for addiction and substitution therapy. When decisions are not made jointly, women are almost solely responsible for decisions on childcare.<sup>277</sup> Women's more limited power in the context of drug use means that they may not be able to adequately protect themselves or make independent decisions about seeking treatment. Men largely control their female partners' access to harm reduction and other medical services and they may "refuse to bring their partner, or delay bringing her to services."<sup>278</sup>

The childcare burden on women is an additional factor that determines whether they attend harm reduction or drug treatment programs or can access HIV services. Childcare responsibilities may simply leave women with too little time to make use of services, but some women are "fearful of attending health services because they fear loss of child custody if they are identified as a drug user"<sup>279</sup> or as HIV positive. Although discrimination based on a person's HIV status is not legal, a

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<sup>274</sup> International HIV/AIDS Alliance in Ukraine, "Results of the first all-Ukrainian HepC testing among the Ukrainian soldiers who came back from the war zone in the East of Ukraine or were conscripted to the military forces," Press Release, 13 October 2015, accessible from: <http://www.aidsalliance.org.ua/ru/news/pdf/13.10.2015/ReleaseHCVATOen.pdf>.

<sup>275</sup> Ukrainian Center for Socially Dangerous Disease Control of the Ministry of Health of Ukraine (UCDC), Облік ВІЛ-інфікованих осіб, які прибули з АР Крим, Донецької та Луганської областей та перебувають під медичним наглядом у ЗОЗ служби СНІДу в інших регіонах України, станом на 01.01.2017 року [Records of HIV-infected persons who came from the Crimea, Donetsk and Luhansk regions and are under the supervision of AIDS services in other regions of Ukraine, as of 01/01/2017], accessible from: [http://phc.org.ua/pages/diseases/hiv\\_aids/statistics/hiv-aids-treatment](http://phc.org.ua/pages/diseases/hiv_aids/statistics/hiv-aids-treatment).

<sup>276</sup> Ibid, 11.

<sup>277</sup> Liudmyla Shulga et al, *Аналитический отчет по результатам формативного исследования гендерно-ориентированных программ, проектов, интервенций и услуг в сфере снижения вреда* [Analytical report on the results of research on gender-oriented programs, projects, interventions and services in the area of harm reduction], (Kyiv: International HIV/AIDS Alliance in Ukraine, 2015), 31.

<sup>278</sup> Katya Burns and Maria Dmytrieva, *Ukraine Gender Assessment*, (Washington, DC: Global Health Program Cycle Improvement Project, 2016), 11.

<sup>279</sup> Ibid, 8.

Ministry of Health order prohibits persons living with HIV from adopting or taking guardianship over a child, and NGOs report that women have had their custody rights revoked after a disclosure of their HIV status in the context of divorce proceedings.<sup>280</sup>

Childcare also has an impact on women's ability to work. According to a survey of people who inject drugs, men are more likely to be employed (which includes irregular and casual work), while women are more often on parental leave and reliant on state social payments or assistance from their family or partners. The majority of surveyed men (74%) and almost half of the women (49%) rely on permanent or intermittent work as their main source of income.<sup>281</sup> Whereas men who inject drugs more often have full-time employment, women are more likely to work temporarily or to engage in sex work.<sup>282</sup> Although research can not find significant gender-related variations in access to financial resources that would impact ability to access HIV services, women who are financially dependent on their partners and also caring for children are a group that merits particular attention.

The prevalence of gender-based violence within intimate relationships further increases women's dependence and reduces their autonomy, especially if they also inject drugs and are financially dependent on and have children with their partner. Women's fears of violence and reluctance to separate from their male partners means that "some HIV-positive women who inject drugs [are] unwilling to start or continue [antiretroviral treatment] after giving birth, out of concern they might have to disclose their HIV status."<sup>283</sup> The intersections between gender inequality, gender-based violence and women's vulnerability to HIV infection may be understood at a theoretical level, but they are not reflected in national policy. For example, the draft SDGs have not defined addressing HIV/AIDS in the context of gender equality as a goal.

Gender-based violence also prevents MSM from accessing HIV services. There have been attacks on MSM community centers and volunteer outreach workers fueled by homophobia, and beneficiaries may shun service centers due to fears of becoming victims of violence or being "outed" as gay.<sup>284</sup>

Widespread stigmatization (including high levels of self-stigmatization) against specific people, including sex workers, those who inject drugs, and MSM has an impact on the abilities of these marginalized groups to access needed health services. NGOs that work with women who are HIV positive note that discrimination by medical institutions is especially intense against females who inject drugs, particularly when they are also pregnant. This attitude is linked to gender norms that view male drug use as more "normal" and, therefore, "acceptable" than it is for women. Also related to gender norms, MSM encounter difficulties accessing sexual health services as doctors are generally not qualified to or comfortable with addressing their specific concerns.<sup>285</sup> Stigma within the MSM community about HIV positivity is also reported to be a barrier to testing.

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<sup>280</sup> Legalife-Ukraine, Insight, Positive Women, and Svitanok, *Shadow Report on the situation of women who use drugs, women living with HIV, sex workers, and lesbian, bisexual women and transgender people in Ukraine*, (2017), 9.

<sup>281</sup> Liudmyla Shulga et al, *Аналитический отчет по результатам формативного исследования гендерно-ориентированных программ, проектов, интервенций и услуг в сфере снижения вреда* [Analytical report on the results of research on gender-oriented programs, projects, interventions and services in the area of harm reduction], (Kyiv: International HIV/AIDS Alliance in Ukraine, 2015), 15.

<sup>282</sup> Katya Burns and Maria Dmytrieva, *Ukraine Gender Assessment*, (Washington, DC: Global Health Program Cycle Improvement Project, 2016), 10.

<sup>283</sup> Katya Burns and Maria Dmytrieva, *Ukraine Gender Assessment*, (Washington, DC: Global Health Program Cycle Improvement Project, 2016), 8.

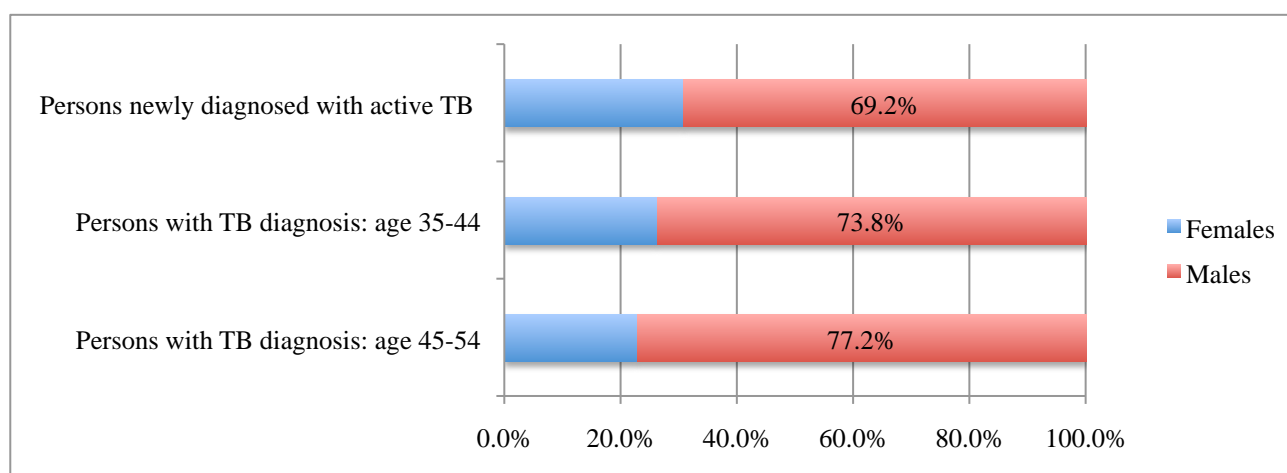
<sup>284</sup> *Ibid*, 9.

<sup>285</sup> *Ibid*, 10.



HIV/tuberculosis co-infection is a serious health concern in Ukraine, and the country is also included among those with high rates of multi-drug resistant TB. While the TB-associated mortality rate declined from 2000-2013, it increased in 2014, attributed to the decline in living standards attributable to conflict and the displacement of populations, that is itself associated with breaks in TB treatment and people who cannot meet their medical needs.<sup>286</sup> As is the case with the HIV/AIDS epidemic, men are disproportionately impacted by TB, and males represent a significantly larger group of those diagnosed with active TB. In 2014, the TB incidence for males (meaning, registered new cases) was 89.2 per 100 000 as compared to 35.4 per 100 000 for females.<sup>287</sup> The wide gender gap among the middle-age population between the ages of 35 and 54, as illustrated in Figure 12, below, is cause for concern as it has important implications for the health of male working age population.

**Figure 12. Gender Distribution of Persons Diagnosed with Active TB, by Age Group and Sex (2014)**



Source: State Statistics Service of Ukraine, *Жінки і Чоловіки в Україні [Women and Men in Ukraine]*, (Kyiv, 2015), 34, 35.

For men, unhealthy lifestyles, especially the abuse of alcohol, drugs and tobacco, may increase susceptibility and exposure to TB and may also interfere with treatment. Co-infection rates are especially high among the male prison population- by one estimate up to 75% of TB cases in persons who inject drugs and are living with HIV are associated with incarceration.<sup>288</sup>

Interestingly, of three specific socio-demographic factors (age, sex and residence- whether urban or rural), all are associated with a later start for receiving TB treatment after entering a medical facility.<sup>289</sup> Women and urban residents spend longer in the health care system before receiving treatment. On average women were prescribed treatment three days later than men, and this pattern differs from that seen in other countries where males encounter more barriers to timely treatment.<sup>290</sup> Further research would be useful to assess the structural and gender-based barriers to

<sup>286</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 36-37.

<sup>287</sup> State Statistics Service of Ukraine, *Жінки і Чоловіки в Україні [Women and Men in Ukraine]*, (Kyiv, 2015), 34.

<sup>288</sup> Frederick Altice et al., "The Perfect Storm: Incarceration and the High-Risk Environment Perpetuating Transmission of HIV, Hepatitis C Virus, and Tuberculosis in Eastern Europe and Central Asia," *The Lancet*, Vol. 388, Issue 10050, 1228-1248,

<sup>289</sup> NGO Center "Social Indicators," *Операційне дослідження «причини затримки лікування туберкульозу, зумовлені системою охорони здоров'я», фінальний звіт проекту [Operational Research "Reasons for delay in TB treatment due to the health system," Final Report]*, (Kyiv, 2016), 51.

<sup>290</sup> Ibid, 17.

treatment, such as the information provided by doctors to female and male patients, costs and whether women are sufficiently economically independent to make decisions about treatment, as well as rural women's more limited access to healthcare facilities and men's lack of health-seeking behavior. In general, the highest risk groups for later and longer TB treatment are people over the age of 65, women, urban residents, drug users and people who have spent time in prison.<sup>291</sup> The large displaced population may also encounter barriers to timely treatment.

Conflict in Ukraine is said to increase the risk of growth in both the HIV/AIDS and TB epidemics as well as in co-infection. Donbas is a region that has historically had a high level of injecting drug use, but the unstable situation has meant disruptions in key services as well as displacement of the local population who may be cut off from services and support in their host communities.

## HUMANITARIAN AND TRANSITION ASSISTANCE

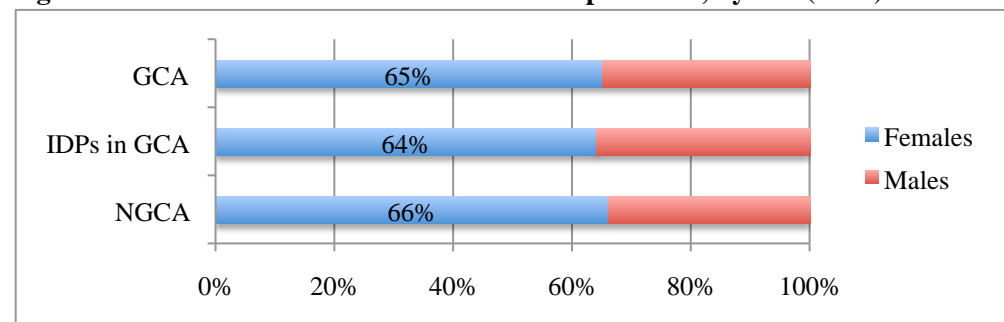
The destabilizing effect of ongoing conflict in Ukraine cannot be overstated. The humanitarian impacts are felt by all segments of the population. There has been considerable documentation of the immediate needs of conflict-affected and displaced populations in Ukraine, and this report will not repeat those findings. Instead, this section of the gender analysis will draw attention to several topics and observations from stakeholders that have a particular gender dimension.

### *Women among the internally-displaced population*

At present, there are an estimated 4.4 million **people affected by the conflict** and 3.8 in need of humanitarian assistance.<sup>292</sup> The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimates that 70% of those in need of assistance are elderly, women and children. More specifically, females are around two-thirds of those affected in government-controlled areas (GCA), areas beyond government control (NGCA) and among IDPs. As of April 2017, social protection offices at the regional and municipal level have registered almost 1.6 million internally-displaced persons (IDP) from Crimea and Donbas.<sup>293</sup> Note that sex-disaggregated data are only available for IDPs displaced from Eastern Ukraine.

Among female IDPs, several groups of women are subjected to multiple forms of discrimination, including women with disabilities, Romani

**Figure 13. Breakdown of Conflict-Affected Populations, by Sex (2017)**



Source: UN Humanitarian Country Team, *Humanitarian Needs Overview: Ukraine*, 2017.

women, single mothers, pregnant women, widows, older women and LGBTI women. Women from marginalized groups face particular hardships when they are displaced and unable to access

<sup>291</sup> Ibid, 73.

<sup>292</sup> UN Humanitarian Country Team, *Humanitarian Needs Overview: Ukraine*, 2017, accessible from: <http://www.unocha.org/top-stories/all-stories/ukraine-humanitarian-needs-rise-conflict-continues-unnoticed>.

<sup>293</sup> Ministry of Social Policy of Ukraine, "Обліковано 1 586 724 переселенці" ["1 586 724 IDPs registered"], 10 April 2017, accessible from: <http://www.msp.gov.ua/news/12932.html>.

specialized support. It has been estimated, for example, that around four percent of IDPs are persons with disabilities and that they encounter difficulties when passing through checkpoints and because they are cut off from support services.<sup>294</sup> Among IDPs, the needs of LGBTI persons has been largely ignored, with the exception of efforts made by NGOs, such as the creation of a shelter for LGBTI persons who have escaped from conflict zones.

**Romani women** “are particularly vulnerable among the displaced, especially when they are pregnant or have to take care of their children,” and many Roma people do not register as IDPs out of fear of being detained, mistreated or targeted in hate crimes.<sup>295</sup> Monitoring of Roma IDPs conducted by the NGO Chiricli found that only about a third had registered with local authorities and less than a third had been provided with accommodation; most were living in public spaces such as parks and train stations.<sup>296</sup> According to the assessment, 85% of the Roma IDPs did not have sufficient money for food for their families. Romani IDP women are often isolated from social services, including health care and education.

The **Crimean Tatars** have been affected by conflict when many were displaced from Crimea and fled to the mainland. The estimates of how many people fled Crimea ranges from 20 000 to 60 000,<sup>297</sup> with around half of those thought to be Crimean Tatars. Traditions and gender roles in the Tatar community underpin how men and women have been impacted by the conflict and displacement. According to a study conducted in Vinnytsia oblast the majority of Crimean Tatar men are “serving in the conflict zone or have stayed in Crimea.”<sup>298</sup> Human rights documentation suggests that the Tatar community that remains in Crimea is disproportionately targeted by police and the authorities. There are reports of forced disappearances, arbitrary arrest and detention and harassment mainly directed toward Tatar men.<sup>299</sup> Many Tatar women, IDPs from Crimea, have effectively become heads of their households, as they feel it is unsafe to return home and also face difficulties crossing the Administrative Boundary Line (for example, due the suspension of public transport). They report that their husbands remain in Crimea out of fear that if they cross the Administrative Boundary Line, they would not be able to return.<sup>300</sup>

The situation of displacement has reinforced traditional gender roles, and Crimean Tatar women are often only engaged in domestic activities and, thus, they do not have time to seek employment. While host communities have generally reacted positively to the arrival of Crimean Tatars as IDPs, some tensions and difficulties in integration are reported as well. Crimean Tatar women can be isolated, mainly remaining in dormitories and having limited interactions with other women in the host community, while men who are engaged in combat are “returning from the conflict zone on a rotating basis.”<sup>301</sup>

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<sup>294</sup> Larysa Baida, et al., *Rights of Persons with Disability in the Armed Conflict in the East of Ukraine*, (Kyiv: Ukrainian Helsinki Human Rights Union, 2016).

<sup>295</sup> European Roma Rights Centre and the International Charitable Organization Roma Women Fund “Chiricli,” *Written Comments Concerning Ukraine for Consideration by the Committee on the Elimination of All Forms of Discrimination against Women*, (Kyiv and Budapest, 2016), 8.

<sup>296</sup> Roma Women Fund “Chiricli,” *Monitoring the Human Rights Situation of Roma in Ukraine. Country Report*, (2014), 37.

<sup>297</sup> Internal Displacement Monitoring Centre, *Ukraine IDP Figures Analysis*, 2015, accessible from: <http://www.internal-displacement.org/europe-the-caucasus-and-central-asia/ukraine/figures-analysis>.

<sup>298</sup> OSCE Special Monitoring Mission to Ukraine, *Conflict-related Displacement in Ukraine: Increased Vulnerabilities of Affected Populations and Triggers of Tension within Communities, Thematic Report*, (Kyiv 2016), 10.

<sup>299</sup> See OHCHR, *Report on the human rights situation in Ukraine 16 May to 15 August 2016*.

<sup>300</sup> OSCE Special Monitoring Mission to Ukraine, *Conflict-related Displacement in Ukraine: Increased Vulnerabilities of Affected Populations and Triggers of Tension within Communities, Thematic Report*, (Kyiv 2016), 23.

<sup>301</sup> Ibid.

Among the displaced population as whole, Crimean Tatars identify “maintaining cultural identity and education in Crimean Tatar language” as their greatest challenge.<sup>302</sup> Specific issues include a lack of educational materials, and insufficient Muslim burial sites and places for prayer or community meetings, as well as being isolated from family members who are dispersed across the country. Several host communities have allocated space to Crimean Tatars to use for cultural purposes. It should also be noted that a number of Crimean Tatars do not register as IDPs or apply for financial assistance from the state, but they are, instead, “accommodated and supported by family, friends and wider Crimean Tatar community in the region.”<sup>303</sup> Especially in the southern oblasts, such as Kherson, very few Crimean Tatars are registered as IDPs; most have moved further away to larger cities, such as Kyiv and Lviv.

### *Gendered impacts of conflict*

In many ways, the conflict has heightened pre-existing gender inequalities and vulnerabilities, and the majority of topics covered in this gender analysis are also applicable in conflict-affected areas. Traditional **gender roles** explain the different hardships that women and men experience. As noted above, women constitute the majority of IDPs and they are usually caring for young children, the elderly or family members with disabilities, and they face considerable stresses and challenges in trying to manage households, find housing, employment and child care or schools, without a social network or other forms of support.

One reason why fewer working age men are represented among IDPs is because they often stay behind in Eastern Ukraine when their families have left in order to protect land and personal property. Some men are recruited as fighters, and men have also been “targeted ... and harassed, intimidated, and/or tortured because, as males, they are viewed as a threat to the armed groups.”<sup>304</sup> Many men of military age resist registering as IDPs out of fear of being mobilized, and some have not applied for special entry/exit permits that allow civilians to move to other areas due to a belief that the permits are issued along with military draft notices.<sup>305</sup> It is reported that there has been an increase in alcoholism among the male community that has remained in conflict-affected areas. There are only “limited reports” of women staying in Eastern Ukraine to take care of property, taking the place of men who have fled to Russia or other parts of Ukraine to avoid being made to participate in fighting.<sup>306</sup>

**Economic survival and meeting basic needs** are pressing issues not only for IDPs but also for the larger conflict-affected populations, in particular people living in the Donbas region which was characterized by economic stagnation before armed conflict began. Households have had to use up their savings on basic goods, and female-headed households, especially those with children, are thought to be the most at risk for adopting “negative coping strategies” and to suffer from food insecurity to a greater extent.<sup>307</sup> Food insecurity indicates household impoverishment, and in Ukraine female-headed households (FHH) are more affected by inadequate food consumption than male-headed households (MHH). The differences are even more stark for households in both NGCA and “buffer zone” areas. In these areas, six percent of female-headed households

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<sup>302</sup> United Nations High Commissioner for Refugees (UNHCR), *Participatory Assessment Report: Kherson, Ukraine*, 2015, 5.

<sup>303</sup> *Ibid*, 19.

<sup>304</sup> Women’s International League for Peace and Freedom, *Voices from Ukraine: Civil Society as a Driver for Peace*, (Geneva/New York, 2014), 27.

<sup>305</sup> OSCE Special Monitoring Mission to Ukraine, *Conflict-related Displacement in Ukraine: Increased Vulnerabilities of Affected Populations and Triggers of Tension within Communities, Thematic Report*, (Kyiv 2016), 10.

<sup>306</sup> Women’s International League for Peace and Freedom, *Voices from Ukraine: Civil Society as a Driver for Peace*, (Geneva/New York, 2014), 27.

<sup>307</sup> UN Humanitarian Country Team, *Humanitarian Needs Overview: Ukraine*, 2017, 9.

experience “poor” food consumption levels and 27.6% have “inadequate” consumption levels, as compared to 1.9% and 20.5% of MHH, respectively.<sup>308</sup> In areas under government control, 2.3% of FHH and 0.8% of MHH are characterized by “poor” food consumption, and 16.5% of FHH and 8.5% of MHH by “inadequate” consumption levels.

Unemployment rates are high among IDPs (almost half of IDPs-45%- have difficulties finding new employment, and in late 2016, 38% of IDPs were unemployed<sup>309</sup>) but the local labor market in Eastern Ukraine offers few opportunities in general. Industries and mining in Donbas, sectors that have traditionally employed large numbers of men, have suspended or reduced their operations, resulting in high job losses for males. Some men see little choice but to enroll in the military as there are virtually no other opportunities to earn an income. On the other hand, it is also reported that there has been both “increased employment in traditionally male sectors in order to meet the demands of the conflict, as well as men taking up the positions vacated by mobilizing men,” which has driven up female unemployment.<sup>310</sup>

The particular economic vulnerabilities of women and men among conflict-affected populations requires greater analysis. However, it is clear that female IDPs, especially those with childcare responsibilities and middle aged women, face particular difficulties finding work in host communities, and are likely to experience “multiple economic discriminatory effects,” in the form of lower earnings, lack of flexible working hours and child care options (several people mentioned the issue of kindergartens and schools not being able to cope with additional children with the arrival of IDPs in host communities), as well as difficulties accessing bank accounts and receiving social welfare payments.<sup>311</sup> Indeed, lack of access to social payments is a critical problem for many IDP families, especially after the government suspended such payments and pensions for around 600 000 IDPs in 2016 (justified as a means to prevent fraud and “IDP tourism”). For 38% of conflict-affected families in GCA and 60% in NGCA, pensioners are the sole breadwinners.<sup>312</sup> In order to increase their employment potential, both women and men in conflict-affected areas (IDPs and others) are in need of retraining. Capacity-building in entrepreneurship was mentioned as an area that could be a potential benefit, not only for female entrepreneurs. Entrepreneurship support is needed for two distinct groups among IDPs: those who have no business experience but who could be trained in entrepreneurial skills and those who had established businesses in areas now not under government control and who fled without being able to take any fixed assets with them. This second group is seen as having considerable potential as they already have business skills but lack working capital and the support, such as targeted training, needed to re-launch a business.

Several respondents to this gender analysis drew particular attention to the need to provide economic opportunities not only for IDPs but also for host community members and to consider the “grey zones.” In order to ensure long-term integration of IDPs, it is important to avoid any situations that could lead to conflicts in the host communities, especially the perception that IDPs are receiving assistance while the local population is excluded.

The conflict situation has contributed to an increase in **gender-based violence**, and women in conflict settings face a high risk of violence in various forms. According to a survey that compared the experiences of women from conflict affected communities with those who had been displaced

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<sup>308</sup> World Food Program Ukraine Country Office, *Food Security Update*, (Kyiv, 2016).

<sup>309</sup> Ibid, 9-10.

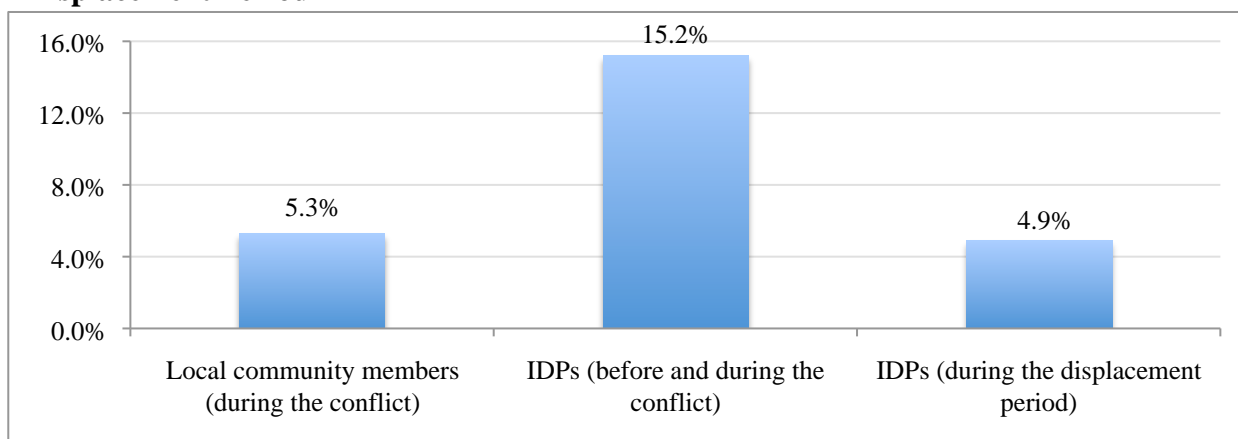
<sup>310</sup> Women’s International League for Peace and Freedom, *Voices from Ukraine: Civil Society as a Driver for Peace*, (Geneva/New York, 2014), 28.

<sup>311</sup> Ibid, 29.

<sup>312</sup> UN Humanitarian Country Team, *Humanitarian Needs Overview: Ukraine*, 2017, 9.

and were staying in host communities (around 1 000 women from each group), women in conflict settings had an increased vulnerability to psychological, economic, physical and sexual violence. The share of women who had experienced at least one form of violence, perpetrated by an outsider, was three times greater for female IDPs before and during the conflict.<sup>313</sup> See Figure 14. La Strada Ukraine reports that the number of calls to their telephone hotline increased by almost 200% in 2016, as compared to the same time period in 2015, and many of the victims are from families of displaced persons and demobilized military personnel.<sup>314</sup>

**Figure 14. Women who Experienced at Least one Form of Violence During the Conflict and Displacement Period**



Source: UNFPA/Ukrainian Centre for Social Reforms, *Gender-Based Violence in the Conflict-Affected Regions of Ukraine*, (Kyiv, 2016), 29.

Experts maintain that the majority of survivors of GBV in conflict-affected areas are female, but that most do not seek any assistance- some only reveal information about violence when they are applying for other types of services (for example, housing or legal support).<sup>315</sup>

Incidents of **domestic violence**, especially incidents committed by returning combatants and exacerbated by the fact that there is a general “breakdown of services and referral pathways, increased tolerance to violence in society, easier access to weapons, [and] post-traumatic stress disorders among combatants”<sup>316</sup> are on the rise. Service providers, including those that operate a hotline that covers NGCA, confirm that there are cases of domestic violence that appear to be linked to the conflict (albeit, they are not necessarily directly caused by the conflict). The Office of the UN High Commissioner for Human Rights (OHCHR), which has monitored conflict-related sexual violence is cautious in its assessment, however. The OHCHR notes that the “lack of comprehensive baseline and the fact that police statistics on cases of domestic violence are not disaggregated and cannot be searched ... on the basis of use of weapons or if they took place in the families of armed actors or internally-displaced persons,” prevents a definitive conclusion that the armed conflict has contributed to an increase of domestic violence in Ukraine.<sup>317</sup>

<sup>313</sup> UNFPA/Ukrainian Centre for Social Reforms, *Gender-Based Violence in the Conflict-Affected Regions of Ukraine*, (Kyiv, 2016), 29.

<sup>314</sup> International Bank for Reconstruction and Development/The World Bank, *Country Gender Assessment for Ukraine*, (Washington, DC, 2016), 25.

<sup>315</sup> UNFPA/Ukrainian Centre for Social Reforms, *Gender-Based Violence in the Conflict-Affected Regions of Ukraine*, (Kyiv, 2016), 53.

<sup>316</sup> Office of the United Nations High Commissioner for Human Rights, *Conflict-Related Sexual Violence in Ukraine 14 March 2014 to 31 January 2017*, para. 23.

<sup>317</sup> Ibid.

The OHCHR has documented many cases of conflict-related **sexual violence** occurring in the context of detention, although it has not found evidence of sexual violence being used as a tactic of war in Ukraine.<sup>318</sup> Both women and men have been subjected to sexual and gender-based violence (in the form of rape, threats of rape, forced nudity and other forms of torture and humiliating treatment), occurring at checkpoints, in the territory controlled by armed groups and in the Autonomous Republic of Crimea. Due to overall weak legal protections against sexual violence, stigma that prevents survivors from reporting incidents, and lack of capacity among law enforcement, prosecutors and the judiciary to document and investigate cases of sexual violence, there has been little state action to address these crimes and perpetrators act with impunity.<sup>319</sup>

NGOs have drawn attention to the fact that there is a **heightened risk for trafficking** in conflict-affected areas, particularly forced labor, begging and prostitution. IDPs are especially vulnerable. There have been reports of women and girls abducted from conflict-affected areas for the purposes of sex and labor trafficking. In NGCA and “grey zones,” there has been a noticeable increase in “advertisements for massage and escort services, which are commonly acknowledged as methods used by street traffickers to recruit women and girls into [the] sex trade.”<sup>320</sup> The development of a “shadow sex industry” is directly related to the presence of a large number of male combatants and the fact that women are forced into “survival sex” due to “inflation, reduced purchasing power, significant price hikes, and loss of income and livelihoods.”<sup>321</sup> Most of the women who have been recruited into commercial sex are between 20 and 30 years old, local residents and often single mothers.<sup>322</sup> Adolescent girls are also considered at particular risk for sexual coercion and exploitation in conflict-affected areas.

The scarcity of complex services, especially psychosocial services, that survivors of GBV need impacts IDPs acutely. Particular gaps in the government response to GBV occurring in conflict areas include the fact that the police have low capacity to address the issue, doctors are generally not adequately trained in the medical needs of survivors of GBV (including the need for prevention of sexually transmitted infections and HIV and clinical management of rape cases), there are far too few social workers to provide trauma counseling, and there are inadequate shelter spaces for survivors of GBV.<sup>323</sup> From 2015, under the Humanitarian Response Project, a GBV sub-cluster (chaired by UNFPA) has launched a number of activities that aim to improve referral systems and survivor-centered services.<sup>324</sup> The project targets five regions, both GCA and NGCA: Dnipropetrovsk, Donetsk, Kharkiv, Luhansk and Zaporizhzhya. Key activities include training for police officers and medical staff, support for 21 mobile teams (comprised of psychologists and social workers), the development of a multi-sectoral referral mechanism (including distribution of referral cards, booklets and posters), distribution of male condoms as well as gynecological and reproductive health kits, and the extension of a national hotline on GBV and gender discrimination

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<sup>318</sup> Office of the United Nations High Commissioner for Human Rights, *Conflict-Related Sexual Violence in Ukraine 14 March 2014 to 31 January 2017*, para. 14.

<sup>319</sup> Ibid, 4.

<sup>320</sup> International Medical Corps, *Gender-based Violence Rapid Assessment: Kharkiv Oblast and Donetsk Oblast, Eastern Ukraine*, September 2015, 4.

<sup>321</sup> Ibid.

<sup>322</sup> [Joint NGOs Submission], *CSOs Shadow Report 2016 on Ukraine. Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women No. 30 on women in conflict prevention, conflict and post- conflict situations, UN Resolution 1325 on Women, Peace, and Security of the UN Convention on the Elimination of All Forms of Discrimination against Women*, (2016).8.

<sup>323</sup> UNFPA, *GBV Area of Responsibility Working Group Newsletter (August 2016) - Saving Lives: Gender-Based Violence Interventions in Ukraine*, accessible from:

<https://www.humanitarianresponse.info/en/operations/ukraine/sexual-and-gender-based-violence>.

<sup>324</sup> The project is managed by UNFPA which works cooperatively with the Ministry of Social Policy. It is funded jointly by the UN, the U.S. Government (the Bureau of Population, Refugees and Migration) and the United Kingdom's Department for International Development (DfID).



to 24-hour and weekend service. There remains a need to expand shelter services in conflict-affected areas, especially ones that meet the needs of survivors with children, to provide support for GBV survivors who live in grey zones, and to build the capacity of the criminal justice system to prosecute and hold perpetrators of GBV accountable.

UN Security Council Resolution 1325 on women, peace and security address three interrelated topics: the protection of the rights of women and girls, including protection from GBV; gender training in peacekeeping operations; and the participation of women in peace building and conflict mitigation processes. The resolution calls on states to increase the representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict.

Ukraine is a priority country for **USAID's Women, Peace and Security Initiative**. In 2016, Ukraine adopted a National Action Plan to implement UN Security Council Resolution 1325 for the period to 2020. The plan was drafted with inputs from CSOs and international organizations, but merging the views of a large number of stakeholders has resulted in a document that is not targeted; the tasks have been described as “vague” and therefore difficult to implement. Still, the national action plan includes tasks and yearly targets for the number of women participating in peacekeeping operations, negotiations, and in management positions in military-civil institutions. Regional-level action plans to implement Resolution 1325 are mainly reproductions of the national plan without including local specifics or objectives. The Parliamentary Inter-Faction Union for Equal Opportunities, through its thematic group on women, peace and security, has a monitoring and oversight function of the national action plan.

Although the Ministry of Defense has established a working group to prepare proposals for implementing equal rights principles in their operations, the armed forces remains a male-dominated institution, especially at the decision-making level. There are no female generals, 14 female colonels (including ten colonels of the medical service), 129 lieutenant colonels (including 78 lieutenant colonels of the medical service), and 372 majors. Around 40 female soldiers served in the Ukrainian peacekeeping troops from 1992 to 2005, followed by a period until 2016 when no women were commissioned as peacekeepers;<sup>325</sup> there are now nine female peacekeepers out of 605 from Ukraine.<sup>326</sup>

The CEDAW Committee has expressed concern that women have been insufficiently included at the decision-making level, that they have been “marginalised in general and they are not actively and meaningfully participating in ongoing peace negotiating efforts, including the Minsk 2 agreements.”<sup>327</sup> Implementation of the national action plan on Security Council Resolution 1325 has been problematic due to insufficient financing,<sup>328</sup> limited awareness by national and regional authorities about women, peace and security issues and a lack of coordination to ensure women’s increased participation. While women have taken on leadership roles during the conflict “as heads of households, humanitarian actors and combatants,” they have not had access to decision-making

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<sup>325</sup> [Joint NGOs Submission], *CSOs Shadow Report 2016 on Ukraine. Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women No. 30 on women in conflict prevention, conflict and post- conflict situations, UN Resolution 1325 on Women, Peace, and Security of the UN Convention on the Elimination of All Forms of Discrimination against Women*, (2016).9.

<sup>326</sup> See Securitywomen.org, <http://securitywomen.org/unsr-1325-and-national-action-plans-nap/ukraine/>.

<sup>327</sup> Committee on the Elimination of Discrimination against Women, Concluding observations on the eighth periodic report of Ukraine , 9 March 2017, CEDAW/C/UKR/CO/8, para. 12(a).

<sup>328</sup> An indicative budget of around 548 million UAH specifies that 3% of financing is from the central budget, 30% from regional/local budgets, and 67% of other sources (CSOs and international donors).

roles concerning conflict resolution; “their voices are continuously silenced and marginalized in political peace dialogue process.”<sup>329</sup>

## V. RECOMMENDATIONS FOR GENDER INTEGRATION: USAID/UKRAINE PRIORITY AREAS

The following section presents recommendations to USAID/Ukraine to be applied to future programming. The recommendations reflect the issues that are most likely to be raised in the portfolio under the CDCS for FY 2017-2022 as well as subjects that were raised during the research and fieldwork for this report. Most of the interviewees for the project provided specific recommendations to USAID/Ukraine or to the donor community in general, and these have been incorporated here. The recommendations are grouped as those that are of a general character and represent opportunities and barriers in the wider development context in Ukraine. These are followed by recommendations for USAID programming, by sector and, finally, those that apply to the Mission’s operations and organization. Several performance indicators also are included, but note that because specific IRs are still being developed under the new CDCS, the sample indicators are meant to be illustrative only; they do not correspond to specific programs.

### GENERAL RECOMMENDATIONS

The following are global concerns that would be relevant to any development program in Ukraine that aims to promote gender equality or female empowerment.

- There is a lack of government leadership on setting gender equality policy and gender is neglected in most national reform. USAID/Ukraine can play a role in supporting recent government efforts to strengthen the national machinery on gender equality, notably the newly-established office under the Vice Prime Minister for European and Euro-Atlantic Integration and future commissioner. USAID/Ukraine can also bring gender mainstreaming and gender analysis expertise to discussions of reform projects.
- In program and activity design, USAID/Ukraine should reflect the priority areas of the Concept for a State Social Program on Equal Rights and Opportunities for Men and Women for 2017-2021 and forthcoming national action plan, as well as targets towards SDG pertaining to gender equality.
- Ukraine has a great deal of collective gender expertise within the NGO community, built up over several decades, but this experience is underused both in government policy-making and in project implementation. USAID/Ukraine can help to bridge this gap through positive measures to include civil society gender experts and seek their inputs in program design, implementation and monitoring and evaluation. (The NGOs that took part in the most recent periodic review of Ukraine’s compliance with CEDAW represent a core group of organizations with expertise covering discrimination in multiple sectors).

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<sup>329</sup> United Nations Country Team Ukraine, *Submission to the Committee on the Elimination of Discrimination against Women*, (Kyiv, 2016), 7.

- The Ukrainian government has the capacity for sex-disaggregated data collection and the production of gender statistics, but there is low demand by the government and a lack of evidence-based policy-making. USAID/Ukraine should support programs for the government on the collection, analysis and use of gender statistics in policy-making.
- USAID/Ukraine should also consider including capacity building activities for implementing partners on collection of sex-disaggregated data in order to expand the pool of available information, especially in programs that deal with national reform and sectors such as entrepreneurship, financial sector support, agriculture, and energy.
- In some sectors, analysis of important gender-differences is insufficient to fully assess the potential barriers and opportunities for women and men. Within relevant projects, implementing partners should identify research needs and support local think tanks, academic centers, NGOs, etc, to conduct surveys and assessments. Priority areas include the following: (1) perspectives of female and male entrepreneurs, including IDPs, on the constraints to establishing and expanding a business, comparing individual entrepreneurs to SMES, start-ups to older businesses, and regional differences. Longitudinal study of the “survival” (longevity/profitability/expansion/closure/bankruptcy) of businesses owned and/or managed by women and men; (2) gender-sensitive value chain analysis to identify new business opportunities for female and male entrepreneurs; (3) women’s and men’s energy needs, their awareness of energy efficiency options, their satisfaction with current energy supply and tariffs, with consideration for the situation of elderly women, FHH, single mothers, etc.; (4) the barriers to women for receiving timely treatment for TB and the reasons for delays in treatment; (5) gender-sensitive assessments of IDPs’ long-term needs in terms of integration into host communities or return. Particular attention should be given to women among IDPs who face multiple marginalization, such as LBT women, Romani women, women from the Crimean Tatar community.
- At present, there is increased interest in improving donor coordination on gender equality objectives, and USAID/Ukraine should continue to participate in any future forums. USAID/Ukraine can not only publicize its good practices and lessons learned in gender-related programming but can also take a leading role in ensuring cooperation across the Mission and with other donors and government stakeholders.

## PROGRAMMATIC RECOMMENDATIONS

### **Cross-cutting issues**

- Gender stereotypes continue to pose a serious challenge to eliminating inequalities in a number of sectors. USAID/Ukraine could support gender experts (for example, those that train journalists) to conduct basic training for implementing partners on how to recognize and not inadvertently reproduce gender stereotypes. In program design, USAID/Ukraine could require activities that are directed to promoting non-stereotyped depictions of women and men. Periodic review of partner program approaches could also be used to screen for harmful stereotypes. Increasing the number of gender focal points in USAID programs could also add a “watchdog” function to eliminate stereotypes.
- The low participation of women in decision-making is a challenge for the USAID/Ukraine portfolio generally. The Mission could be more proactive in making sure that there are

measures to increase women's participation, to empower women and to support the development of women's leadership skills across the portfolio.

- Conflict within the territory of Ukraine and the displacement of local populations has redefined “vulnerable groups,” including “vulnerable women.” When designing programs, consideration should be given to whether women and men from vulnerable groups are benefitting equally, with a broad understanding of all the different factors that put women and men in vulnerable situations.
- Gender-based violence is a pressing problem for Ukraine and one that implicates women's human rights, their health, and their economic empowerment. USAID/Ukraine should consider whether it is possible to support dedicated activities to strengthen the prevention of GBV and the protection of survivors, both from the side of the state and civil society. At minimum, attention should be given to whether activities on GBV can be incorporated into other programs, for example on access to justice, female entrepreneurship, local governance, access to health services, humanitarian assistance, etc.

### **Democracy, human rights and governance**

- In activities that concern transitional justice, access to justice, or decentralization that overlap with conflict-affected areas, take measures to ensure the inclusive participation of women at all decision-making levels and on topics of conflict resolution and peace building.

#### *Rule of law and access to justice*

- Support gender-sensitivity training and continuing legal education for judges, judicial staff, prosecutors, and legal aid lawyers, that includes the jurisprudence of discrimination cases (based on sex, sexual orientation and gender identify), gender bias in the courtroom, sexual harassment and employment discrimination.
- Build government capacity to conduct gender expertise of draft laws, in a coordinated manner using a unified methodology, in similar process to current activities on gender-responsive budgeting.
- Promote the ratification of the Istanbul Convention and adoption of comprehensive domestic violence legislation in line with international standards.
- Support awareness-raising projects for women on their legal rights and available remedies. Support projects to expand free legal aid and *pro bono* assistance applicable to the most critical women's rights issues.

#### *Governance, leadership and women's political participation*

- Support training projects on women's leadership in preparation for local elections with particular attention to the inclusion of women from minority and under-represented groups.
- Continue to work with political parties to improve their ability to meet the gender quota and increase their gender-sensitivity by providing capacity-building, mentoring and training.

- In community development activities, implementers should take positive measures to ensure that female leaders and active community members are included in discussions concerning local priorities. Implementing partners should analyze and address the constraints to women's participation.
- Fund dedicated gender analysis of e-government programs, specifically considering differential access to the internet, potential positive uses of e-services as well as negative aspects, and how gender-specific promotion and outreach should be conducted.
- Within programs on women's leadership and political participation, develop capacity-building activities for women to meaningfully take part in peace processes and conflict resolution, including women within government authorities and from the civil society sector.

#### *Civil society development*

- Develop the capacity of women's NGOs to engage in lobbying efforts and also to work in partnership with government authorities at the national, regional and local level on setting gender equality policy.
- Provide positive examples of how civil society gender activists can lend their expertise to projects by linking implementing partners with local gender experts across the Mission portfolio.
- Support networking activities for NGOs that address diverse issues of gender equality, including financial support for coalition work that encompasses the whole country.

#### *Decentralization*

- Support the expansion of gender-responsive budgeting and gender-sensitive auditing exercises to be used in parallel with decentralization programs in order to ensure that the needs and priorities of women and men are taken into consideration in a balanced manner.

#### *Media*

- Support nascent and alternative media outlets (including social media), especially those that report on issues of concern for the LGBTI community.
- Support dedicated gender analysis of the barriers to women's advancement in mass media outlets. Conduct leadership training and mentoring programs to assist women working in the media to advance to decision-making roles.
- Encourage media outlets to develop self-regulation systems and ethical standards to ensure that gender stereotypes and sexism are not part of media reporting. Promote the development of good practices to include female opinion leaders in media coverage of a variety of subjects.

## Illustrative gender-sensitive performance indicators

Number of judges, judicial staff, prosecutors, legal aid lawyers receiving USAID-supported training on applying the law to remedy discrimination based on sex, sexual orientation and/or gender identity, avoiding gender bias, improving access to justice etc. disaggregated by sex

Number of legal professionals who have reported applying the knowledge of Ukrainian law as well as international legal standards (UN, CoE and EU) that prevent discrimination gained through USAID-supported training, disaggregated by sex. [Note that ideally, a project to improve access to justice would also include evaluation of the perspective of justice users].

Number of activities (e.g. conferences, seminars, networking events, media announcements, etc.) held by NGOs that work on gender equality issues that are used to raise the profile of the organizations, promote cooperation across NGOs, or to draw attention to topics relevant to gender equality.

Number of local authorities that have been trained in gender-responsive budgeting and/or gender-sensitive auditing and are making use of these tools (as measured by number of gender analyses, public hearings, etc. conducted).

Percentage increase in articles/blogs printed or produced about the LGBTI community in a manner that is not discriminatory, biased or sensationalized manner after USAID-supported training or other form of capacity-building.

## Economic growth and opportunities

### *Gender and the labor market*

- Support job-creation and income-generating activities that target specific groups of women (e.g. Romani women, IDPs, FHH, single mothers, survivors of gender-based violence, women with disabilities, etc.) and men (unemployed men from conflict-affected areas).
- Develop workforce and re-training programs for elderly women and female IDPs that provide them with skills that match the needs of the current labor market, and support their entry into formal work.
- Invest in workplace programs that encourage young women and men to pursue interests in non-traditional fields of employment (e.g., IT and technical fields for women and creative or service-oriented work for men) and support their career development (e.g. through internships, mentoring).

### *Discrimination in the workplace*

- Support civil society organizations in advocacy work to lobby for the removal of discriminatory/protectionist provisions from labor law.

### *Entrepreneurship and the business climate*

- Ensure that programs on private sector development promote policies that will remove barriers for female and male entrepreneurs and will not inadvertently disadvantage either group.
- Conduct dedicated analysis of the impact of corruption on male- and female-owned and managed businesses in order to determine entry points for future USAID/Ukraine anti-corruption programming.
- Develop activities that either introduce female entrepreneurs or support existing women in business in fields that have the potential for growth and profit (e.g. IT, medical services, rural-based tourism services).
- Assess whether entrepreneurship support is needed by specific groups of men (especially those from Eastern Ukraine who are unemployed and who are at risk of being drawn into conflict as well as those who have lost businesses that are located in NGCA) and consider developing dedicated activities for them.
- Support rural women to develop formal businesses in agriculture and also introduce them to other viable rural-based business options.

### *Financial sector development*

- Expand projects on women's financial literacy and economic empowerment to a larger number of vulnerable groups of women, such as internally displaced persons (IDPs), Roma women, survivors of gender-based violence, women living with HIV, women who inject drugs, and women at risk for trafficking and/or sexual exploitation.
- In economic empowerment programs for IDPs, undertake conflict analysis to ensure that programs only for IDPs do not cause rifts within host communities; consider providing integrated trainings and activities that incorporate both IDP and local women and men who are facing economic hardships.
- Ensure that gender is mainstreamed in financial sector and economic development projects, especially concerning poverty reduction, the development of financial products with women customers in mind, and the expansion of e-services (banking, bill payments, etc.)

### *Energy security*

- Engage female civil society activists in projects to expand the use of renewable energy sources and promote energy efficiency in local communities.

### **Illustrative gender-sensitive performance indicators**

Number of women who have participated in USAID-funded workforce or retraining programs that have transitioned to formal employment (if possible, compare the ratio of women to men).

Number of advocacy events conducted by NGOs that address the removal of protectionist provisions in the law and ending discriminatory practices.



Number of cases of workplace discrimination on the basis of sex/ gender identity/ sexual orientation that have been resolved effectively within USAID-funded activities. [[Linked to access to justice programs].
Ratio of female to male project beneficiaries that are expanding their businesses after participating in a USAID program, disaggregated by sector.
Number of women who have completed financial literacy programs, combined with qualitative information about whether they are using household budgeting, have opened a bank account, maintained savings, applied for a credit card, etc.
Number of people who are aware of energy saving and energy efficiency options through USAID programs, disaggregated by sex.
Ratio of outreach materials on energy efficiency and tariffs that are directed toward male and female consumers with gender-specific messages.

## Health

- Develop interventions for male high risk populations, such as those who inject drugs, MSM, and military servicemen, that are focused on specific locations, for example in pre-trial detention facilities and prisons, during military conscription and in the ATO zone.
- Integrate gender-sensitive HIV prevention activities (e.g. condom distribution and health education) and services for testing and treatment within programs that provide assistance to IDPs.
- Develop evidence-based approaches based on international best practices for reaching the sexual partners of people who inject drugs, sex workers, servicemen and MSM.
- Support networking and collaboration between NGOs that represent women who are HIV positive and those that work on gender equality issues more broadly in order to link these movements and advocacy efforts.

Ensure that programs that undertake prevention of gender-based violence and provide services to survivors of violence are accessible to survivors who are HIV positive, who inject drugs or who have a diagnosis of TB, and that services are tailored to the needs of both female and male survivors.

Illustrative gender-sensitive performance indicators
Number of injecting drug users benefitting from community-based outreach services, disaggregated by sex
Number of medical and health workers who have undergone training designed to improve understanding of the needs and reduce stigma about women who inject drugs, sex workers and MSM.
Number of collaborative events held jointly by NGOs representing women who are HIV positive and other NGOs that work on gender equality.

## **Humanitarian and transition assistance**

- Mainstream gender in all humanitarian assistance and IDP-related activities and ensure that female IDPs, especially those who have become heads of households, receive comprehensive support, not only pertaining to the issue of gender-based violence but also in the areas of political and economic empowerment, access to health care, social services, housing and education.
- Develop targeted programs on economic empowerment for female IDPs, through support of entrepreneurship, re-training to meet the demands of the local job market and work placements in order to improve their prospects for long-term integration, with particular attention to women from Roma and Crimean Tatar communities. Within such programs, ensure that constraints to women's participation are addressed, for example by supporting the development of affordable childcare options.
- Ensure that the specific needs of male IDPs and men within conflict-affected populations are also being addressed, in terms of access to employment, business development support, psycho-social support, access to health care and legal assistance, etc.
- Support NGOs and government agencies that work with survivors of gender-based violence from conflict-affected communities, to increase their capacity to provide comprehensive services as well as specialized assistance to particular groups of survivors (including men who are survivors of sexual and gender-based violence).
- Within humanitarian aid programs, include services that address the psychological impacts of conflict and trauma with an aim to reduce unhealthy and violent behaviors among men and also enable survivors of gender-based violence to overcome stigma and shame and access support services.

## **ORGANIZATIONAL RECOMMENDATIONS**

- USAID/Ukraine should consider funding or seeking funding to conduct an internal gender audit of USAID/Ukraine's capacity to carry out gender analysis as well as an assessment of the extent to which gender is mainstreamed in the current portfolio (ideally conducted by external experts).
- In order to increase institutional capacity on gender integration, it is recommended that USAID/Ukraine invest in basic capacity-building for program managers (e.g. in-service meetings, short workshops, onsite and/or online training) to increase their role to advise implementing partners on effective gender mainstreaming and to encourage them to be more proactive in this role.
- Require USAID implementing partners to include a gender advisor or gender focal point on staff and allocate funds to support this position (for some programs, it may be sufficient to hire a short-term advisor to conduct a rapid assessment and provide one-time recommendations for gender-sensitive activities). Develop terms of reference for the gender advisor position and also support them to coordinate their work by hosting Mission-wide networking events.
- Invest in capacity-building for implementing partners (such as training, workshops, mentoring and other forms of support) on gender integration and gender analysis.

- Collect data disaggregated by sex and, to the extent possible also by age, ethnicity, socio-economic status, IDP status, ability, sexual orientation/gender identity, and other variables that are relevant to the Mission or the particular program in as many activities as possible.
- Increase the visibility and publicity of “gender successes stories” and positive outcomes for women and men toward reducing gender inequalities, especially in “non-traditional” fields such as energy supply, decentralization, anti-corruption, etc.

## VI. CONCLUSION

Effectively mainstreaming gender is not a simple process that done once is complete. Instead, gender integration requires rigorous analysis, questioning assumptions, avoiding gender stereotypes and collaborating with many stakeholders, including gender experts. USAID/Ukraine is well-positioned among development organizations as it has a long history of gender-sensitive programming and activities that aim to empower women and girls. Indeed, one of the Mission’s strengths is its consistency in requiring consideration of gender from the design stage to final evaluation. However, this gender analysis revealed that there is still some room for improvement. The implementation of gender equality objectives can be uneven across the Mission portfolio, and at times a rather formal approach is taken and opportunities for more meaningful engagement with gender issues are lost.

USAID/Ukraine is operating in an environment in which the state has evidenced its commitment to advancing gender equality yet has not been able to determine a clear path or strategy towards this goal. The landscape is also changing very quickly, both positively and negatively. For example, progressive initiatives include the newly drafted medical intake form by the Ministry of Health that allows patients, who identify as neither female nor male, not to indicate a gender.<sup>330</sup> On the other hand, women are still struggling against widely-held stereotypes that their primary role is as a wife and mother- a gender norm that is used to deny them access to specific jobs. Recent events in Ukraine, such as the Euromaidan demonstrations and armed conflict, have led to citizens demanding respect for their human rights, but they have also been accompanied by an increasingly institutionalized anti-gender movement (as evidenced by the parliament’s failure to ratify the Istanbul Convention and adopt draft laws on combating gender-based violence on the grounds that the laws threaten “Ukrainian values”).

USAID/Ukraine will be challenged to navigate this shifting landscape, but it can also play a leadership role in assisting the government of Ukraine to consolidate its diverse gender-related initiatives and also to more effectively make use of the expertise that exists in the country.

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<sup>330</sup> Tanya Cooper, “Ukraine Acts to Improve Diversity and Inclusion,” Human Rights Watch, 27 February 2017, accessible from: <https://www.hrw.org/print/300605>.

## ANNEX A: Scope of work for Ukraine gender analysis

**Note:** Due to unforeseen circumstances, the original scope of work for the gender analysis that is included below changed significantly from the time it was drafted to the time that the project was designed. Most significantly, while staff of the Canadian Embassy in Kyiv supported and participated in the fieldwork for the USAID/Ukraine gender analysis, a Canadian consultant was not available to contribute to the project.

### Background

The purpose of this task is to conduct a mandatory Gender Analysis (GA) to inform USAID/Ukraine's Country Development Cooperation Strategy (CDCS) for FY 2017-FY 2022. This analysis will respond to the requirements of Automated Directives System (ADS) 201.3.2.9 (<https://www.usaid.gov/ads/policy/200/201>) regarding GA for country-level long term plans and ADS Guide to Gender Integration and Analysis (<https://www.usaid.gov/sites/default/files/documents/1865/201sab.pdf>).

This task will be undertaken in collaboration with a Canadian consultant. The Canadian Embassy in Kyiv will acquire the services of a Canadian Gender Equality Consultant with a similar scope of work and deliverables. A joint study is expected to enhance the accuracy and enrich the level of analysis.

Gender issues are central to the achievement of strategic plans and Development Objectives (DOs), and USAID strives to promote gender equality, in which both men and women have equal opportunity to benefit from and contribute to economic, social, cultural and political development; enjoy socially valued resources and rewards; and realize their human rights. USAID/Ukraine recognizes that equal opportunity for women and men advances economic and social development and promotes democratic values. The Mission considers gender an important cross-cutting theme that needs to be integrated throughout the planned and current projects and activities, thus making programs and projects sustainable, and ensuring that both women and men benefit from the programs equally.

Therefore, in order to comply with ADS 201 requirements, the Mission's GA will identify significant sector-specific gender-related trends, dynamics, and development challenges across the USAID/Ukraine portfolio. Findings of the GA will be used to inform the new CDCS and future project and activity designs. It will also provide practical recommendations on how to ensure gender integration throughout project planning, implementation, monitoring, and evaluation cycles.

USAID/Ukraine is currently in the process of setting the parameters for its 2017-2022 CDCS, and expects that the findings of the GA would be used to inform the development of Development Objectives and full Results Framework in fall 2016. To inform the results framework, the GA will address how gender relations, gender equality, and women's empowerment issues may affect USAID's achievements of sustainable development results.

The Mission has formulated as its goal for an interim strategy period over 2015 to 2017: *A More Stable and Reform-Oriented Ukraine*. In order to achieve this goal, the Mission identified five strategic priorities:

1. Conflict Effects Mitigated in Ukraine's East
2. Democratic Reforms Implemented in Key Sectors
3. Economic Opportunities Revitalized in Target Sectors and Groups
4. Enhanced Energy Security
5. Improved Health Status for Target Populations and Groups

There are four cross-cutting themes that run across the objectives: anti-corruption, youth, inclusive development, and EU integration. As USAID expects to continue working in the above areas during the course of its next CDCS period, the GA is expected to examine gender issues in these priority areas.

## **Objectives**

The Contractor will conduct desk review, fieldwork, and analysis resulting in a comprehensive GA with the following objectives:

1. Collect descriptive statistics on the status of males and females in Ukraine, disaggregated by other demographic variables;
2. Identify gender-based constraints, inequalities, or differences that will impede achieving the objectives outlined above, and determine root causes of these gender-based constraints, inequalities, or differences, particularly as they relate to the Ukraine's achievement of Sustainable Development Goals;
3. Recommend approaches on how USAID/Ukraine programming can better address the identified gender-based constraints, inequalities, or differences to enhance the accessibility and equity of USAID's programs to both men and women;
4. Identify how gender relations in Ukraine will affect the achievement of USAID/Ukraine sustainable results;
5. Recommend how gender equality and women's empowerment can be integrated in respective USAID/Ukraine objectives and existing or future interventions in: agriculture, competitiveness enhancement, good governance, civil society, rule of law, media, local government strengthening, political participation, media development, combatting corruption, small and medium enterprise development and conflict mitigation;
6. Suggest illustrative gender-sensitive performance indicators and sex-disaggregated data for the newly designed CDCS DOs and IRs in order to ensure that USAID/Ukraine assistance makes contribution to gender equality, and that both women and men have equitable access to development activities and their benefits.

## **Tasks**

1. Establish a collaborative working relationship with a Canadian consultant; develop a joint approach to this task. It is expected that the two consultants will work together on data identification, collection and analysis, including the development of joint findings and conclusions. Following the analysis, the two consultants will provide different recommendations to USAID and Global Affairs Canada, as per their individual objectives and the scope of work.
2. Develop a list of questions for GA interviews. The consultant will provide this list to USAID.
3. Comprehensively review pertinent literature and documents on gender issues in Ukraine including government of Ukraine documents, international donor documents, NGO documents, academic research, etc. The Contractor will provide a summary of literature review to USAID.
4. Review national data and statistics. The consultant will include official statistics data in the GA report.
5. Review relevant Ukrainian laws and policies. The Contractor will develop a list of Ukrainian laws and policies related to gender and provide it to USAID.
6. Organize and conduct discussions and interviews with staff from international donor and development organizations, local gender experts, NGOs, academics/researchers, journalists, national and local government of Ukraine officials, and USAID/Ukraine projects beneficiaries. The Contractor will develop a list of key contacts and provide the list to USAID.
7. Identify a representative population sample across geographic, social and economic spheres to ensure that findings are accurate and adequate of country-wide conclusions.
8. Conduct meetings/interviews with USAID/Ukraine staff and implementing partners to help identify and substantiate the role of gender under each of the USAID/Ukraine five strategic priorities.
9. Produce and submit to USAID the written GA report in electronic copy in Word format.
10. Participate in entry and exit briefings with relevant USAID/Ukraine staff to a) outline GA plan, and b) to debrief the USAID/Ukraine staff on GA findings, conclusions, and recommendations.

11. Based on the GA, provide detailed recommendations on integration of gender considerations in the USAID/Ukraine DOs and IRs, as well as provide guidance on gender concerns to be addressed in program design, management and monitoring cycle.

USAID recommends that the Contractor uses the *Six Domains Framework* for this GA. It is adaptable to many contexts and regions and is one of the most comprehensive frameworks, as it helps to identify and organize information about gender differences in the following six major areas of inquiry:

1. Access to assets;
2. Knowledge, beliefs, and perceptions;
3. Practices and participation;
4. Time and space;
5. Legal rights and status; and
6. Balance of power and decision making

The kinds of questions that should be asked while conducting GA built around the six domains can be found in the *Toward Gender Equality in Europe and Eurasia: A Toolkit for Analysis* available at

<https://dec.usaid.gov/dec/content/Detail.aspx?q=KERvY3VtZW50cy5Eb2N1bWVudF9UaXRzZT00RSZFEGdlbmRlciBhbmFseXNpcyB0b29sa2l0KSk=&ctID=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDBmY2Uy&rID=MzI3Mjcy&qcf=ODVhZjk4NWQtM2YyMi00YjRmLTkxNjktZTcxMjM2NDBmY2Uy&ph=VHJ1ZQ==&bckToL=VHJ1ZQ>.

## **Deliverables**

Work plan: The Contractor will create a work plan within five working days, after the start date of the consultancy, jointly developed with a Canadian consultant.

Schedule of meetings and site visits: The Contractor will schedule, arrange and confirm all meetings and site visits needed for the GA.

Fieldwork methodology: The Contractor will submit a draft fieldwork methodology plan, which will include the scope of the analysis, geographic areas of data collection, names and contacts of individuals to be interviewed, and interview protocols.

Draft GA Report (GAR): The draft GAR will be completed within 5 working days after the end of the field work.

Final GA Report: The Contractor will submit a clear, informative, and credible GAR (up to 30 pages, excluding annexes and references) completed within 3 working days after USAID submits comments on the draft report. This analysis will respond to the requirements laid out in USAID Automated Directives System (ADS) 201.3.9.3 (<https://www.usaid.gov/ads/policy/200/201>) regarding GA for country-level long term plans and ADS Guide to Gender Integration and Analysis (<https://www.usaid.gov/sites/default/files/documents/1865/201sab.pdf>). The final GAR shall include the data from existing documents, official statistics data, interviews and other sources to assess the role of gender relations in Ukraine and their significance for USAID/Ukraine programs, and recommendations for integration of gender considerations into the USAID/Ukraine CDCS 2017-2022 and future program planning. The GAR shall include an analysis of gender issues, constraints, recommendations for addressing gender-based issues in the USAID/Ukraine priority areas; and illustrative gender-sensitive performance indicators and sex-disaggregated data that would attest meaningful implementation of USAID gender requirements.

The GAR Executive Summary Section should be a maximum of three-five pages long and reflect the purpose of the GAR, GAR methodology and its limitations, key findings, conclusions, and recommendations. The Contractor will translate the GAR Executive Summary into Ukrainian.

The GAR will be written in English and submitted in MS Word, Times New Roman, 12 point font, or other legible font of similar size.

Any data used to prepare the GAR will be presented in the MS Office compatible format suitable for re-analysis and submitted either by e-mail, on a CD, or on a flash drive to the COR. The data should be fully documented and well organized for use. USAID will retain ownership of all records including interview transcripts or summaries, survey(s), datasets developed, copies of which are provided to the COR.

The final GAR will also include the following annexes:

- list of questions for GA interviews;
- list of Ukrainian laws and policies related to gender;
- list of people interviewed and affiliated organizations;
- a comprehensive annotated bibliography of literature reviewed in GAR preparation;
- a summary of literature reviewed in GAR preparation.

Entry and exit briefings with USAID/Ukraine staff: Upon arrival in Kyiv, the GA Contractor shall have an initial orientation meeting with relevant USAID/Kyiv staff. Prior to departure from Ukraine, the GA Contractor shall debrief the USAID/Kyiv Mission staff on GA findings, conclusions, and recommendations.

Designated USAID staff will review the deliverables and provide the Contractor with comments as needed.

### **Level of Effort and Timing**

The Contractor will begin work in Kyiv on/about January 16, 2017. The Contractor will submit final GAR to USAID no later than February 6, 2017.

### **Logistic Support**

The Contractor will be responsible for all logistical support needed to conduct this analysis, including translation/interpretation, transportation, accommodation, meeting/visit arrangements, office space, equipment, supplies, insurance and other contingency planning. The Contractor must not expect any substantial involvement of USAID Mission staff in either planning or conducting the analysis. Upon request, the Mission will provide the Contractor with introductory letters to facilitate meeting arrangements. USAID requests that any forthcoming American and local holidays be considered in scheduling meetings, group discussions, surveys, and trips in Ukraine.

One or two USAID/Ukraine specialists may accompany the consultant during the GA field work.

### **Contractor's Qualifications and Experience**

International Consultant must have the following qualifications and experience:

- Master degree or its equivalent in social science or related subject.
- minimum five years of experience in designing and/or conducting analyses of gender issues in Europe and Eurasia, and in integration of gender perspectives into international donors programming;
- excellent communication, presentation, and writing skills in English language;
- strong team management skills;
- good knowledge of USAID Gender Equality and Women's Empowerment Policy.

Prior experience in Ukraine as well as knowledge of Ukrainian or Russian is preferred.



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**ANNEX C: List of persons and organizations included in the fieldwork**  
(February 21- March 2, 2017, excluding skype interviews)

**USAID/Ukraine Mission**

- Lesia Chmil, Office of Democracy and Governance
- Olga Dudina, Office of Health
- Micah Globerson, Office of Program Coordination and Strategy (PCS)
- Ann Hopper, Office of Program Coordination and Strategy
- Oksana Litvinovska, Office of Program Coordination and Strategy
- Paola Pavlenko, Office of Health
- Tatiana Rastrigina, Office of Health
- Stella Roudenko, Office of Program Coordination and Strategy
- Irina Smolina, Office of Democracy and Governance

**Embassy of Canada to Ukraine in Kyiv**

- Nadezhda Yegay, Senior Program Analyst, First Secretary, Development Cooperation Section
- Yulia Koba, Program Analyst, Development Cooperation Section

**International Organizations**

- Maja Bosnic, Team Leader, Gender Responsive Budgeting in Ukraine Project
- Anastasia Divinskaya, Gender Advisor, UN Women
- Ganna Khrystova, Senior Project Officer, Council of Europe Project “Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine”
- Iryna Svavolya, Project Officer, Council of Europe Project “Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine”
- Olha Buchma, Project Support Assistant, , Council of Europe Project “Strengthening the Human Rights Protection of Internally Displaced Persons in Ukraine”
- Eda Helenurm, Political Officer, Political Section, Delegation of the European Union to Ukraine
- Maria Maslowska-Hernandez, Support Group for Ukraine, European Commission
- Oleksandra Palagnuk, Human Rights and Gender Officer, European Union Advisory Mission
- Ola Quarnstron, Human Rights and Minorities Advisor, European Union Advisory Mission
- Ludmyla Nestrylay, Gender/Communications Officer, Swiss Agency for Development and Cooperation (SDC)
- Kateryna Rigg, Principal Manager – Advice for Small Businesses, Ukraine, SME Finance & Development Group, European Bank for Reconstruction and Development (EBRD) [via skype]

## **USAID/Ukraine Implementing Partner Organizations**

- Igor Kogut, Chief of Party, RADA Program
- Victor Liakh, President, East Europe Foundation
- Victor Karpenko, Evaluation Officer, East Europe Foundation
- Olena Yena, Program Director and Women Lead, National Democratic Institute

## **Ukrainian Government**

- Svitlana Kashenets, chief of department on internal policy of the Pokrovsk city administration
- Svitlana Nikonenko, deputy head of Kramatorsk city administration on finances and economy
- Svitlana Voitsekhovska, MP of the Verkhovna Rada of Ukraine
- Yevgen Vilinskiy, First Deputy Head of Donetsk regional administration [via skype]

## **Non-Governmental Organizations and Gender Experts**

- Larysa Kolos, Chair of School of Equal Opportunities/ independent gender expert
- Zemfira Kondur, National Focal Point for ROMED2/ Chiricli Roma Women's Foundation
- Mykhailo Koriukalov, independent gender expert
- Ellla Lamakh, Head, Democracy and Development Center/ independent gender expert
- Kateryna Levchenko, President, La Strada-Ukraine
- Tamara Martsenyuk, Sociologist and Faculty Member, National University of Kyiv-Mohyla Academy, Sociology Department/ Gender expert, Ukrainian Helsinki Human Rights Union
- Svetlana Moroz, Project Coordinator, Positive Women
- Maryna Rudenko, Projects Manager, Women's Information Consultative Center
- Olena Shevchenko, Executive Director, Insight Ukraine [via skype]
- Olena Uvarova, lecturer of the theory of law department of Yaroslav the Wise National Law University (Kharkiv) [via skype]

Vilna Hata (youth group in Kramatorsk)\*

- Mykola Dorokhov, founder
- Anastasiya Stryzheus, coordinator of children's home project
- Olha Lyashenko, teacher
- Olena Kabankova
- Tetyana Kharchenko
- Stepan Lvivskiy
- Anastasiya Senchenko
- David Vardanian
- Olena Vaskovska

## **Media**

- Iryna Slavinska, journalist, Hromadske Radio (Public Radio Ukraine)

\* Group interview/meeting

## ANNEX D: Key international, regional and domestic law and policy related to gender equality and non-discrimination in Ukraine

<b>International</b>
<b>United Nations</b>
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
CEDAW Optional Protocol
Convention on the Rights of Persons with Disabilities
Convention on the Rights of the Child
<b>Regional</b>
<b>Council of Europe</b>
European Convention on Human Rights
European Social Charter
Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) ( <i>signed in 2011, not ratified</i> )
Convention on Action against Trafficking in Human Beings
<b>European Union</b>
Association Agreement (Article 419 on gender equality and non-discrimination)
<b>National Law</b>
Constitution of Ukraine (Article 24)
Law of Ukraine on Ensuring Equal Rights and Opportunities for Women and Men (2005)
Law of Ukraine on the Principles of Prevention and Combating Discrimination in Ukraine (2012)
Law of Ukraine on Introducing Amendments to Certain Legislative Acts of Ukraine regarding Preventing and Countering Discrimination (2014)
Law of Ukraine on Political Parties (2013)
Law of Ukraine on Local Elections (2015)
Law of Ukraine on Ensuring the Rights and Freedoms of Internally Displaced Persons (2014)

Law of Ukraine on Preventing Violence in the Family (2001)
<i>Draft Law on Preventing and Combating Domestic Violence (sent to parliament in 2016)</i>
Law of Ukraine on Combating Human Trafficking (2011)
Law of Ukraine on Advertising (Article 8) (1996)
<b>National Policy</b>
Decree of the President of Ukraine on Improving Work of the Central and Local Executive Bodies for Ensuring Equal Rights and Opportunities for Women and Men (2005)
State Program on Ensuring Equal Rights and Opportunities of Men and Women until 2016 (2013)
Concept for a State Social Program on Equal Rights and Opportunities for Men and Women for 2017-2021 (2017)
National Human Rights Strategy of Ukraine (2015)
Action Plan for the Implementation of the National Human Rights Strategy of Ukraine to 2020 (2015)
National Action Plan for the Implementation of UN Security Council Resolution 1325 “Women, Peace and Security” to 2020 (2016)
Concept of the National Program on Prevention and Combating Domestic Violence (2017-2020)
State Target Program to Combat Trafficking to 2020 (2016)
National Action Plan to implement the Convention on the Rights of Disabled Persons to 2020 (2012)
Draft Program on Reproductive and Sexual Health in Ukraine for 2017-2021
Poverty Reduction Strategy (2016-2020) (2016)
Action Plan for 2016-2017 on the Implementation of the Poverty Reduction Strategy (2016)